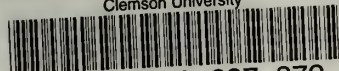


I 29.111:T 34

Land Protection Plan, Theod...

Clemson University



3 1604 019 687 872

land protection plan

PUBLIC DOCUMENTS
DEPOSITORY ITEM

AUG 24 1990

CLEMSON
LIBRARY

THEODORE ROOSEVELT

NATIONAL PARK • NORTH DAKOTA

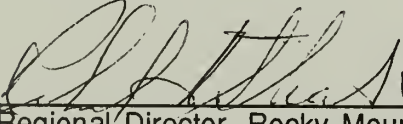


RECOMMENDED:

15) C. Mack Shaver
Superintendent, Theodore Roosevelt National Park

January 26, 1988
Date

APPROVED:

 Richard A. Strait
Regional Director, Rocky Mountain Region **Acting**

JUN 18 1990
Date

land protection plan

june 1990

THEODORE ROOSEVELT NATIONAL PARK • NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR / NATIONAL PARK SERVICE

SUMMARY

This *Land Protection Plan* was prepared in conjunction with the 1987 *General Management Plan* for Theodore Roosevelt National Park. It addresses concerns and proposes protection strategies for nonfederal lands and mineral interests within the authorized park boundary. The plan also discusses the threats to and protection of park resources from external influences.

The park contains approximately 690.44 acres of private lands and 1,342.18 acres of nonfederally owned mineral rights (some of the latter are partially federally owned). Two important issues addressed in the plan are the type of management of these lands and interests that will be required to ensure their long-term protection and the extent of private lands or interests in lands that must be acquired.

External concerns include the need to protect the scenic and historical values that surround the small, isolated Elkhorn unit; the need to respond to a proposal to expand the Medora airport landing strip; and the need for greater interaction with local and state governments on land use matters. The major external concern involves oil and gas development that has occurred around all three park units.

The plan discusses protection alternatives, including existing regulations, cooperative agreements/memoranda of understanding, and the different types of acquisition that could be used to provide protection of lands, subsurface areas, and other resources.

The plan also makes recommendations on internal and external issues and concerns. The most significant recommendations relate to the prioritization and acquisition of surface and subsurface ownerships and the identification of compatible interim uses of private lands. Various cooperative strategies, including use of agreements and the purchase of scenic easements by nonprofit land trusts, are recommended for the area of resources concern surrounding the Elkhorn unit. The plan also proposes to use various cooperative approaches to minimize the impacts of energy-related activity that occur near the park boundary.

This *Land Protection Plan* does not constitute an offer to purchase lands or interests in lands; neither does it diminish the rights of nonfederal landowners whose properties are within the boundaries of the park. The plan is intended to guide subsequent land protection activities subject to the availability of funds and other constraints.

The plan was concurred in by the assistant secretary for fish and wildlife and parks on May 5, 1989.

REGION

THEODORE ROOSEVELT NATIONAL PARK NORTH DAKOTA

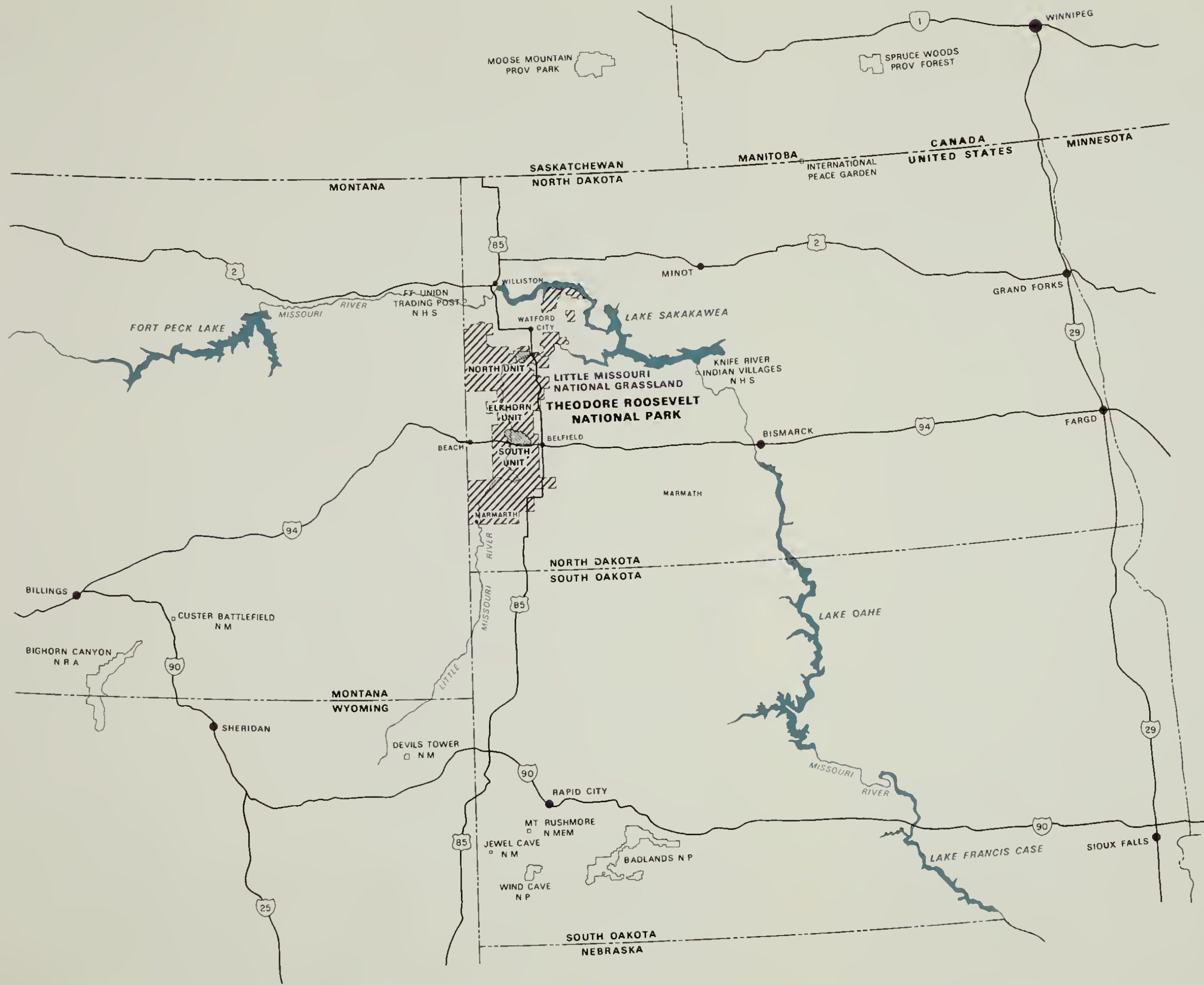
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,016
MAY 85	DSC



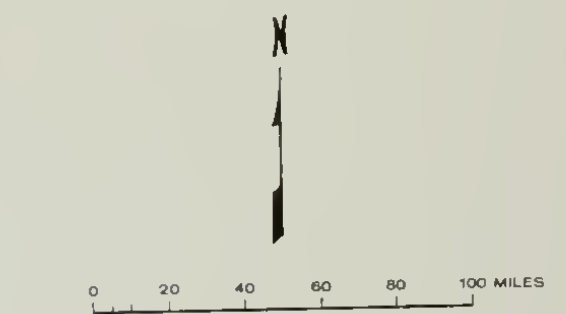
0 20 40 60 80 100 MILES

-  THEODORE ROOSEVELT NATIONAL PARK
-  LITTLE MISSOURI NATIONAL GRASSLAND



REGION
THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,016
MAY 85	DSC



- THEODORE ROOSEVELT NATIONAL PARK**
- LITTLE MISSOURI NATIONAL GRASSLAND**

CONTENTS

INTRODUCTION	1
POLICIES	1
ISSUES AND CONCERNS	1
In-Park Concerns	2
External Concerns	2
BACKGROUND	15
DESCRIPTION AND PURPOSE OF THE PARK	15
PARK HISTORY AND MANAGEMENT DIRECTION	15
LEGISLATIVE, ADMINISTRATIVE, AND CONGRESSIONAL CONSTRAINTS	16
LANDOWNERSHIP AND USES	17
REGIONAL OWNERSHIP AND USE	17
IN-PARK OWNERSHIP AND USE	17
HISTORY AND CURRENT STATUS OF LAND PROTECTION ACTIONS	19
COMPATIBLE AND INCOMPATIBLE USES	20
PROTECTION ALTERNATIVES	21
FEDERAL AND STATE REGULATIONS	21
LOCAL REGULATIONS	22
COOPERATIVE AGREEMENTS/MEMORANDA OF UNDERSTANDING	23
ACQUISITION	24
RECOMMENDATIONS	27
COMPATIBLE AND INCOMPATIBLE USES – INTERIM GUIDELINES	27
IN-PARK RECOMMENDATIONS	28
ACQUISITION PRIORITIES	35
Surface Ownerships	35
Subsurface Tracts	35
EXTERNAL RECOMMENDATIONS	36
Elkhorn (Ranch) Unit Area of Resources Concern	36
Proposed Expansion of Medora Airport	37
Energy Development outside the Park	37
Cooperative Efforts on Land Use and Resource Protection	39
EFFECTS OF LAND PROTECTION PLAN RECOMMENDATIONS	39
FINDING OF NO SIGNIFICANT IMPACT	59
APPENDIXES	
A: TRACT DESCRIPTIONS OF NONFEDERAL LANDS	60
B: LEGISLATION	66
C: MANAGEMENT OBJECTIVES	90
D: NONFEDERAL SUBSURFACE (MINERALS) OWNERSHIPS (SHOWING RECOMMENDED PROTECTION)	92
BIBLIOGRAPHY	96
LIST OF PREPARERS	99

MAPS

Region v	
Oil/Gas Resource	9
Coal Resource	11
External Conditions	13
Land and Mineral Status Index	43
Land and Mineral Status, Segment 01	45
Land and Mineral Status, Segment 02	47
Land and Mineral Status, Segment 03	49
District Headquarters Mineral Interests	51
Elkhorn Unit Mineral Interests	53
Painted Canyon Mineral Interests	55
Medora Headquarters Mineral Interests	57

FIGURES

Landownership	18
Land Use	18

TABLES

1: Land and Minerals Ownership within the Park	19
2: Park Land and Minerals Acquisitions	19
3: Surface Ownerships and Acquisition Recommendations	30

INTRODUCTION

POLICIES

Land protection plans describe alternative strategies for protecting resource values associated with nonfederal lands and interests within units of the national park system. These plans also consider strategies necessary to protect park resources from external influences. Both elements are treated in this plan.

On May 7, 1982, the Department of the Interior issued a policy statement (47 FR 19784) to guide use of the federal portion of the Land and Water Conservation Fund. The policy requires that the National Park Service take the following steps in protecting the lands, waters, and interests necessary to achieve natural, cultural, and recreation management objectives:

- Identify what lands or interests in land need to be in federal ownership to achieve the purposes of the unit.

- Use, to the maximum extent practicable, cost-effective alternatives to direct federal purchase of private lands, and when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.

- Cooperate with landowners, other federal agencies, state and local governments, and the private sector to manage lands for public use or to protect them for resource conservation.

- Formulate, or revise as necessary, plans for land acquisition and resource use or protection to ensure that sociocultural impacts are considered and that the most outstanding areas are adequately managed and protected.

In response to this departmental policy, the National Park Service has published instructions (48 FR 21121) requiring that a land protection plan be prepared for each unit of the national park system that contains private or other nonfederal land or interests within its authorized boundary. In compliance with those regulations, this *Land Protection Plan* has been prepared for Theodore Roosevelt National Park.

This plan does not constitute an offer to purchase lands or interests in lands; neither does it diminish the rights of nonfederal landowners whose properties are within the boundaries of the park. The plan is intended to guide subsequent land protection activities subject to the availability of funds and other constraints.

The plan will be reviewed every two years and revised as necessary to reflect changing conditions.

ISSUES AND CONCERNS

Land protection issues and concerns specific to Theodore Roosevelt National Park are discussed below.

In-Park Concerns

One of the more significant challenges is the protection of resources on private properties located within the park boundaries. In addition to several privately owned tracts of land, the park contains a number of nonfederally owned mineral (subsurface) rights. The latter also involve specific tracts, but in many cases the rights (including oil and gas leases in a number of cases) may be held by multiple owners who own or hold leases for all or a portion of the minerals that could be present. At issue is the extent of private lands or interests in land that need to be acquired. The importance and potential impact of development of these private tracts varies; thus, priorities for acquisition of both private surface tracts and mineral rights have been addressed. The priority determination will generally guide how available acquisition funds will be allocated.

Another issue is that private lands and mineral rights could remain in private ownership within the park for a number of years prior to full or partial acquisition. A principal land protection issue involves management of these lands and rights in ways that will maintain park values and quality visitor experiences, while at the same time recognizing owner rights. The plan includes guidelines for NPS management that will guide park management to help maintain park values and quality visitor experiences associated with private holdings until the appropriate federal interest is acquired.

The park is situated within the oil and gas rich Williston Basin. An issue for the park is the potential for drainage of federal oil and gas to areas outside the park. A number of years ago it was discovered that valuable mineral resources were being drained by wells to the south of the park's south unit. Here oil and gas from beneath the park was extracted without payment to the federal government. As a result and in line with then current federal policies, nine tracts along the south boundary within the park were competitively leased in 1975, with stipulations of no surface occupancy; these stipulations were included as a protective measure taken under federal authority (Section 441, Revised Statutes of 5 USC, 1958 ed., sec 485). Currently, four directionally drilled wells immediately south of I-94 are draining hydrocarbon resources from under the park within the leased subsurface tracts. Future leasing of federally owned subsurface minerals within the park is prohibited. Therefore, it is important that the plan identify a potential solution for dealing with future drainage situations.

External Concerns

A major external issue is protection of the Elkhorn (ranch) unit. Theodore Roosevelt's former Elkhorn ranch is surrounded by national grassland to the west, State Historical Society land to the north and south, and private ranch land to the east – across the Little Missouri River. In several instances, the park's west boundary is located on a hillside, with no opportunity for topographic screening from visitor use areas. To the east, private land is located adjacent to the Little Missouri River near the ranch headquarters site; the primary view from the headquarters is of the river and the landscapes beyond. Due to the importance of protecting the historic scene and its relationship to a quality visitor experience, it is vital to maintain the area's sense of remoteness, scenic quality of the Little Missouri River shoreline, vistas of the adjacent hillsides, and natural appearing landscapes beyond the river's shoreline.

In the past this issue was of limited concern because of the unit's remoteness and difficult access, and because development did not exist or was contemplated for surrounding lands. However, Billings County, in cooperation with Golden Valley County, plans to construct a new road and bridge across the Little Missouri River. They anticipate a location just south

of the Elkhorn unit. This road should increase visitation to the ranch site, especially if the Park Service provides an access road to the unit, parking, and interpretive facilities. In time, improved county road access might also increase interest in developing commercial facilities or residences near the unit, thus increasing the need to provide additional protection for the historic ranch site.

Additionally and perhaps of more consequence, a road and bridge adjacent to the south boundary of the Elkhorn unit will destroy the remote, quiet atmosphere now available in the area – the very thing that makes it possible for a visitor to appreciate what it must have been like during Theodore Roosevelt's time. Negotiating location of the road and bridge to remove road noise and dust as well as the visibility of road scars from the ranch site is critically important.

An increase in oil and gas development on private, state, or federal land within view of the Elkhorn ranch is also a potential intrusion on the historic scene. As an example, a small but visible oil and gas complex was sited on land managed by the Forest Service, a short distance south and west of the ranch site; this operation has been abandoned and the site reclaimed. There are tracts that have been leased for potential oil and gas development near the Elkhorn unit. Through use of agreements, easements, or mineral entry withdrawals, it may be possible to limit future leasing and discourage the development of oil and gas facilities in highly visible locations on existing leases.

The Medora airport is a lightly used facility that has been in existence for about 40 years. Because of this short runway, which is not graded or paved, the airport is used primarily as an emergency airstrip. There are no user facilities or landing lights. In 1977, it was discovered that the airstrip encroaches on park land by about 300 feet. In 1981-82, the city of Medora proposed airport improvements that would realign and lengthen the runway, resulting in further encroachment onto park land. The proposal would also increase air traffic over nearby park areas. A long-term use agreement has been requested from the Park Service for 11 acres of park land that would be needed. The Park Service has not granted or denied the city's request. This proposal has been supported by the North Dakota Aeronautics Commission.

Energy development outside the park is the greatest single concern. The extent and type of such development or potential development is depicted on the Oil/Gas Resource, Coal Resource, and External Conditions maps, which are found at the end of this section.

As recently as 1970, lands surrounding the three park units were used for grazing or were vacant areas with few roads. Limited croplands and scattered oil and gas wells did exist. Air over the park was clear, and sounds were mostly limited to those from the railroad and the new interstate highway. The backcountry of both the south and north units was, in effect, a part of a much larger landscape that stretched to the horizon. The energy development boom that began in the extensive Williston Basin drastically changed that scene. There are hundreds of oil and gas wells within 6 to 7 miles of the three park units – predominantly on the Little Missouri National Grasslands (Forest Service) and private lands. Fewer wells are on public domain (Bureau of Land Management) and state lands. Wells are located within 1,000 feet of park boundaries.

Several sources of environmental concern are related to oil and gas development, including visual impacts, noise, and odors that conflict with the park's solitude and natural scene. These environmental impacts are caused by various structures and conditions, such as batteries of large tanks, new high standard roads, hydrogen sulfide gas, flaring wells, smoke, dust, and pump engines. Smoke and particulate matter are frequently observed from



This oil and gas well, just south of I-94, has been directionally drilled into subsurface park lands north of the interstate.



This rugged badlands terrain, in the southeastern part of the south unit, is part of the area that has been leased by the federal government for directional recovery of park oil and gas resources by the private sector.

the park. The Forest Service has given increasing emphasis to including environmental stipulations in oil and gas leases; since 1975 the agency asked for lease requirements specifically aimed at reducing park impacts. Many older leases remaining in effect through oil and gas production contain few, if any, environmental stipulations. The "Custer National Forest Land and Resource Management Plan" proposes a visual quality objective of partial retention for lands seen from the park. Under partial retention oil and gas activities would usually be evident, but their impacts would remain visually subordinate to the landscape. The Bureau of Land Management has a visual management system similar to the Forest Service; however, its visual objectives still need to be formalized in a resource management plan.

Within the park's airshed are many other oil and gas wells and several existing or proposed gas processing plants. A natural gas sweetening plant has been proposed by the Northern Natural Gas Products Company in the vicinity of Rawson, approximately 12 miles northwest of the north unit. If built as proposed, the plant would emit substantial quantities of sulfur dioxide (SO₂) as well as other gases and particulates. The SO₂ emissions could significantly increase air pollution over the north unit and, at times, exceed the class I air quality standards (increments) of the park. About 75 to 150 miles from the park, there are several existing (or proposed) coal-fired electric generating plants, natural gas processing plants, coal to methanol conversion plants, and oil refining plants that could increase the park's air quality problems. Should all the proposed plants be built, there would be 20 (or more) point sources of pollution that could have an adverse effect on the air quality of the park.

The potential for large-scale recovery and processing of lignite in western North Dakota and eastern Montana is another air quality concern. Lignite is a relatively low grade form of coal, and it appears minable deposits are located near the south and north units of the park. When it is mined, lignite-fueled power plants are generally built close to the fuel source. The threat to park air quality from major lignite development would be potentially greater than from current forms of energy development and processing.

An issue closely related to energy development is the potential water quality and flood hazard problems from sources outside the park. This concern is associated with groundwater aquifers and watercourses that enter the park from areas where contamination could arise. Extensive oil and gas development and transport are being conducted outside the park but within the park's aquifer drainage area and watersheds.

The overall issue is how energy development and production within the region can be managed to mitigate adverse impacts on park resources and quality visitor experiences.

An emerging issue is the potential for greater interaction with local and state governments on land use matters. Local land use regulations and state laws have limited applicability in providing park protection from inappropriate development of private holdings within the park. However, enforcement of local zoning ordinances and other land use and environmental controls could aid in limiting or modifying proposals on private lands that are near park boundaries. The National Park Service can provide a positive influence and technical assistance as a means of achieving goals mutually agreeable to all concerned.

Also at issue is what additional opportunities are present for cooperative agreements with other agencies, potentials for land exchanges and transfers, and other (non-NPS) federal and state programs that affect or complement NPS management.



View from the Elkhorn unit across the river, showing ranch and farm land that might eventually be developed for other more intensive uses.



The Medora airstrip. Private plane had recently crash-landed.



Oil and gas development west of the western boundary of the south unit of the park. In some cases, these developments can be seen from the park.



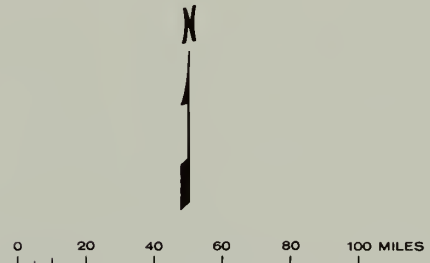


OIL/GAS RESOURCE

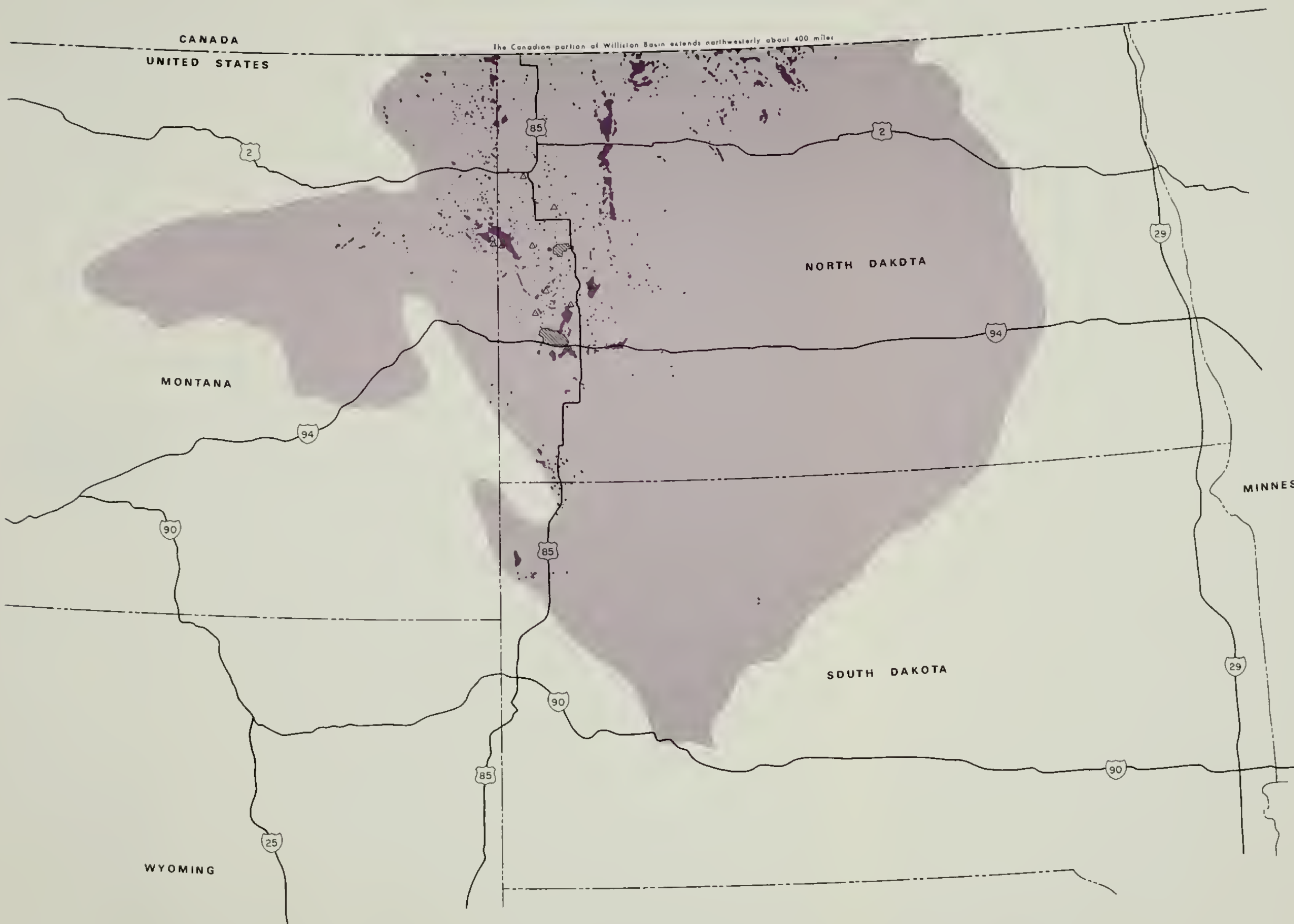
THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,017
MAY 85	DSC



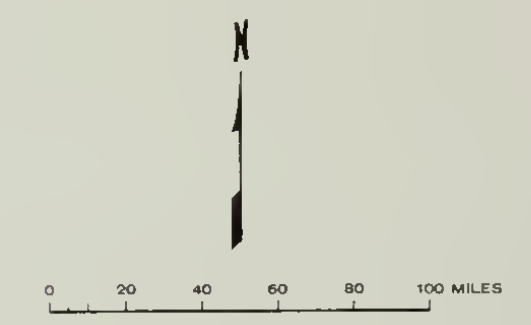
-  OIL OR GAS FIELD
-  WILLISTON BASIN
-  NATURAL GAS PLANT
-  THEODORE ROOSEVELT N.P.



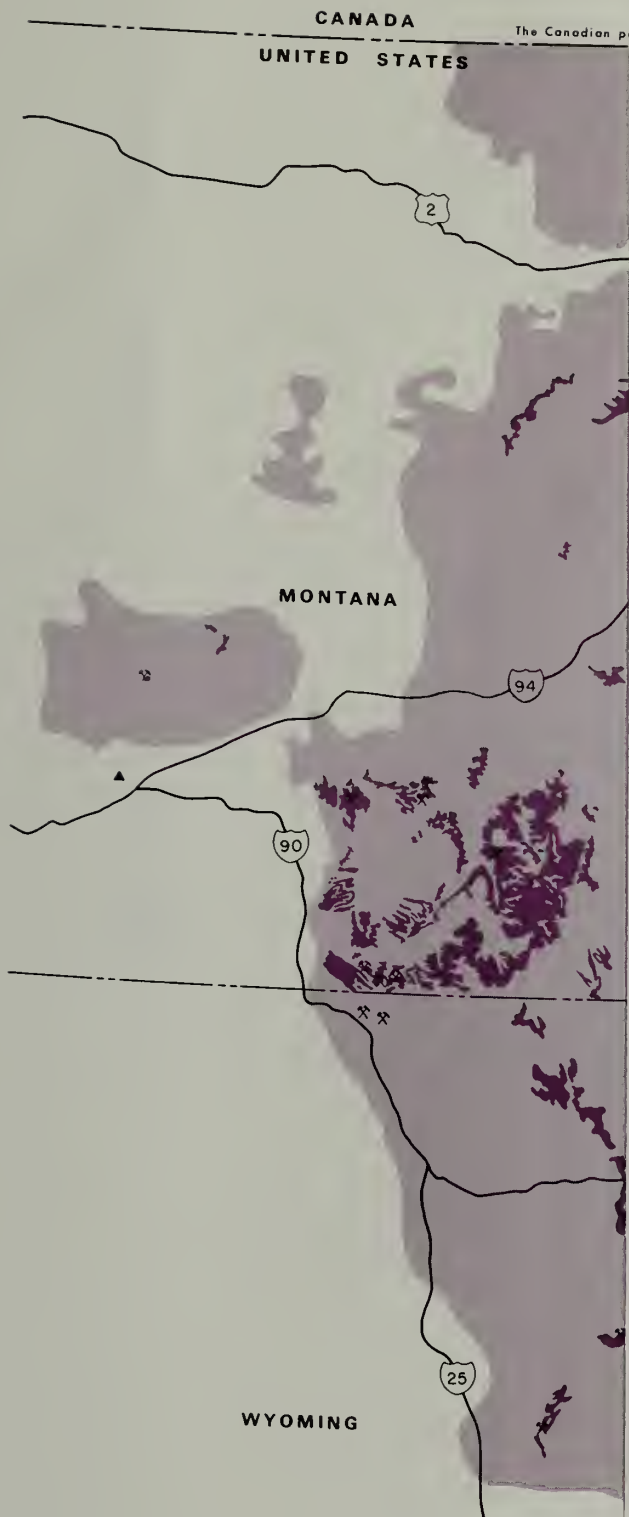
OIL/GAS RESOURCE

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,017
MAY 85	DSC



- OIL OR GAS FIELD
- WILLISTON BASIN
- NATURAL GAS PLANT
- THEODORE ROOSEVELT N.P.

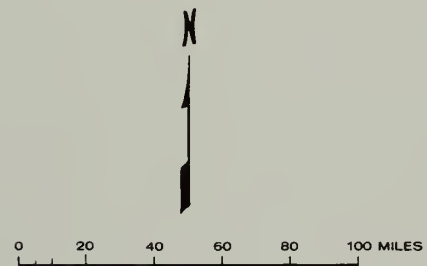


COAL RESOURCE

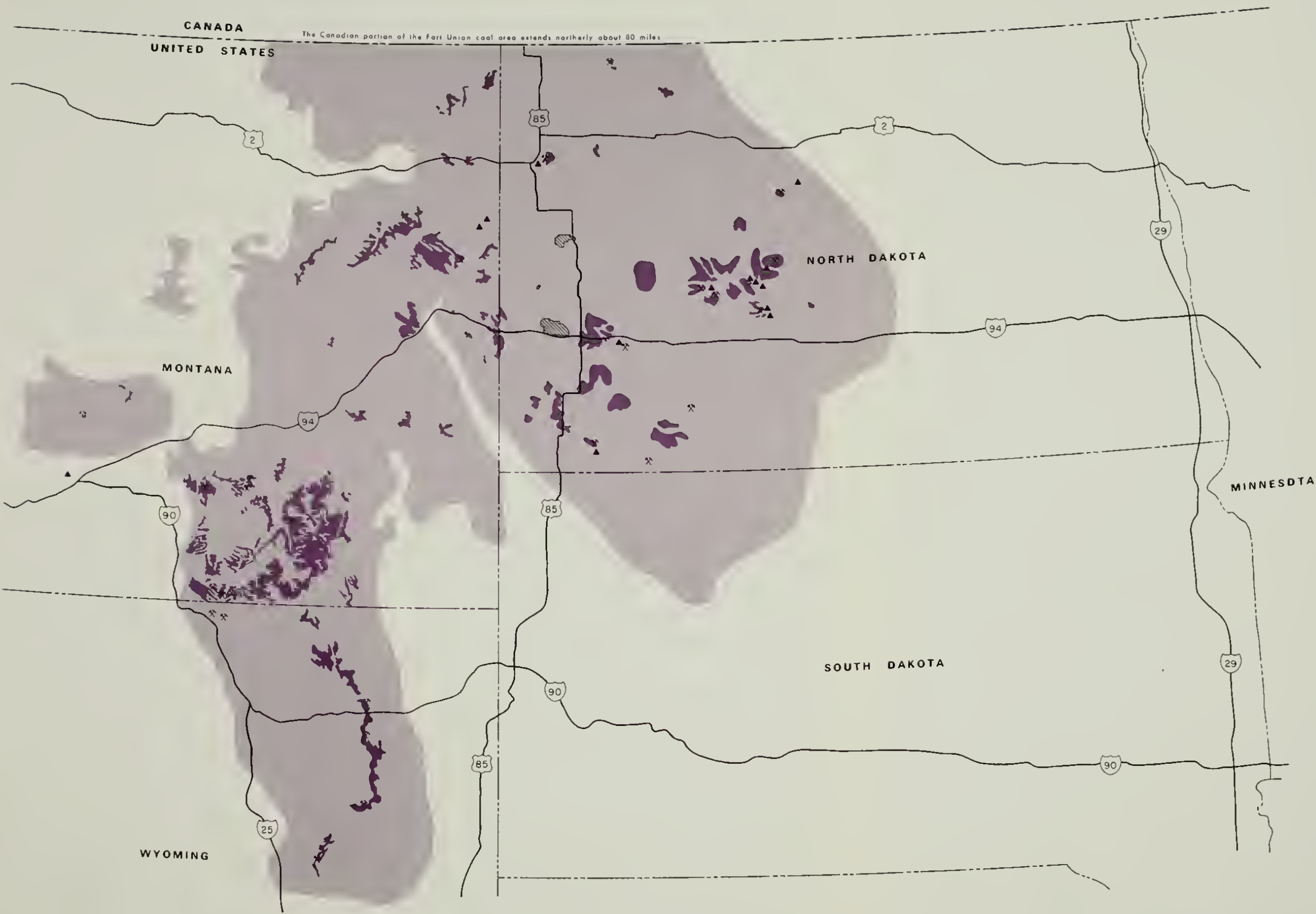
THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,018
MAY 85	DSC



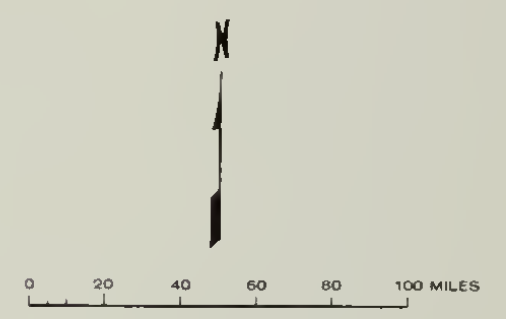
-  STRIPPABLE COAL DEPOSIT
-  FORT UNION COAL AREA
-  COAL MINE
-  COAL BURNING PLANT
-  THEODORE ROOSEVELT N.P.



COAL RESOURCE

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,018
MAY 85	DSC



- STRIPPABLE COAL DEPDSIT
- FORT UNIDN COAL AREA
- CDAL MINE
- COAL BURNING PLANT
- THEDDORE ROOSEVELT N.P.

EXTERNAL CONDITIONS

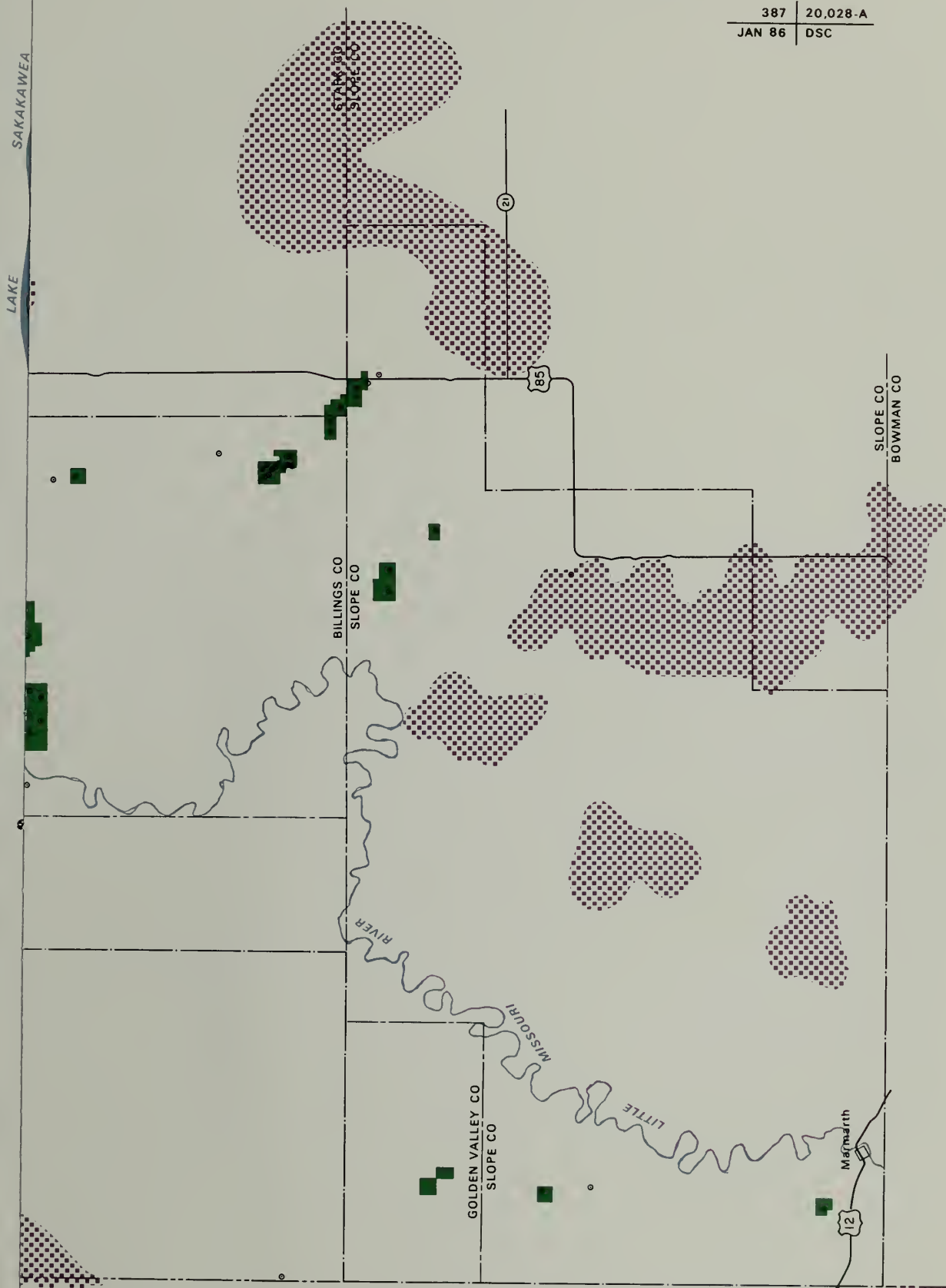
THEODORE ROOSEVELT NATIONAL PARK

NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

387	20,028-A
JAN 86	DSC



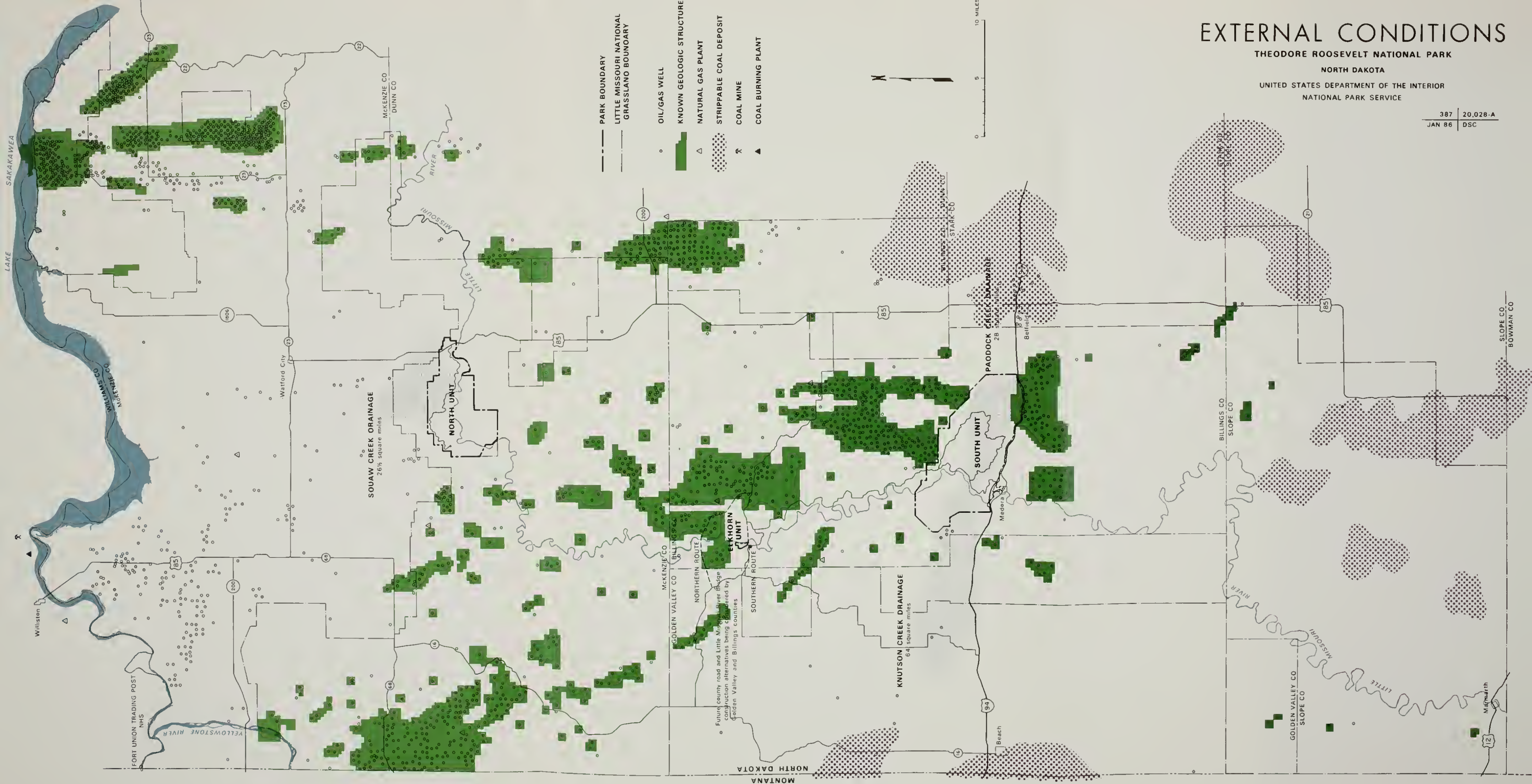
EXTERNAL CONDITIONS

THEODORE ROOSEVELT NATIONAL PARK

NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,028-A
JAN 86	DSC



BACKGROUND

A complete list of the management objectives for Theodore Roosevelt National Park is included in appendix C. The overall objectives are to protect and preserve the natural and cultural environments, to permit natural processes to continue with a minimum of human disturbance, and to provide opportunities for enjoyable visitor experiences, including an understanding of the park's resources.

DESCRIPTION AND PURPOSE OF THE PARK

The park, which consists of three separate units (north, Elkhorn, and south) in western North Dakota, is dedicated to the preservation and public enjoyment of important historic, scenic, and natural resources. A central, unifying feature of the 110-square-mile park (approximately 70,446.59 acres) is the free-flowing Little Missouri River, which winds through the south and north units and forms the east boundary of the small Elkhorn unit. The south and Elkhorn units of the park are in Billings County, and the north unit is in McKenzie County. A detailed description of the park's natural and cultural environments can be found in the *General Management Plan*.

The park memorializes Theodore Roosevelt for his outstanding contributions to conservation and interprets late 19th century "open range" cattle ranching history. The park also preserves natural resources that had an important influence on the man and the actions he took as president. Without Roosevelt's experiences and perceptions gained here in his formative years between 1883 and 1898, the development of America's forest and park conservation programs might have been much different.

PARK HISTORY AND MANAGEMENT DIRECTION

Theodore Roosevelt National Park had its beginnings in August 1934, when CCC camps, under the sponsorship of the North Dakota State Historical Society and the direction of the National Park Service, began work in what was then known as Roosevelt Regional State Park.

On April 25, 1947, a locally supported congressional bill, which became Public Law 38 (61 Stat. 52), established the area as Theodore Roosevelt National Memorial Park. The Act of June 10, 1948 (62 Stat. 352) amended the establishing act, added more land, and also corrected the description of the Elkhorn ranch unit lands. The Act of June 12, 1948 (62 Stat. 384) added the north unit to the park. The Act of March 24, 1956 (70 Stat. 55) added lands on the north side of the village of Medora for park headquarters development. This act also authorized the secretary of the interior to make future boundary adjustments along US 10 and US 85, due to realignment, with certain acreage limitations. The secretary adjusted the boundaries in 1963 to conform to the realignment of US 10, now reconstructed and designated I-94. This excluded 398.39 acres and added 459.04 acres.

The memorial park was designated Theodore Roosevelt National Park by PL 95-625 (92 Stat. 3467), enacted November 10, 1978. This same act (92 Stat. 3490) designated 29,920 acres within the park as wilderness, while another section of the act (92 Stat. 3475) authorized a boundary adjustment at the north unit to add approximately 146 acres to and delete approximately 160 acres from the park.

For many years, Theodore Roosevelt National Memorial Park was managed as a historic area of the national park system. Over the past 10 to 12 years, however, there has been a growing recognition of the significance of the park's natural resources and of the park as a natural area. The effect has been a shift in management emphasis, which is resulting in a more balanced interpretation of the area's natural and historical significance.

The park is divided into four zones for NPS management purposes – natural, cultural (formerly historic), development, and special use. The natural zone, the largest, encompasses 68,031.59 acres. It will be managed to perpetuate natural processes and the primitive character of the park. The cultural zone (245.00 acres) will focus on preservation, interpretation, and protection of historic and archeological resources. The development zone (1,685 acres) will provide the necessary space for visitor and management facilities and utilities. The special use zone (485 acres) consists of land east of US 85 in the north unit. The area is proposed for scenic easements and will be subject to agricultural, recreational, and limited residential uses that are compatible with protection of scenic values. However, industrial facilities would not be compatible. A more detailed discussion of management zoning is contained in the *General Management Plan*.

LEGISLATIVE, ADMINISTRATIVE, AND CONGRESSIONAL CONSTRAINTS

There are few legal or congressional constraints that impinge on management of the park exclusively. The Act of June 12, 1948 (62 Stat. 384) reserved to stockmen of the area surrounding the north and south units a perpetual right-of-way through the park along the Little Missouri River for the trailing of livestock to and from the railroad. In this same vein, the park is required to maintain and keep open the East River road in the south unit to the north boundary of the unit for use by ranchers living adjacent to the park. Local rancher and Billings County access is also permitted on a farm road that passes through the Elkhorn unit. In addition, the park's enabling legislation (61 Stat. 52, April 25, 1947) limited expenditures for land and reconstruction of the Elkhorn ranch buildings to \$40,000.

The park is closed to mineral entry under the 1872 Mining Law and to mineral leasing of federally owned subsurface resources, including oil and gas. The legislation that provides the first basis for this determination is the Mineral Leasing Act of 1920. However, both the 1970 National Park Service Administration Act (PL 91-383, 84 Stat. 825) and the 1978 Redwood amendments to the NPS Administration Act (PL 95-250, 92 Stat. 163) reaffirmed the park's closure to all forms of mineral entry and leasing.

Another constraint involves the 744.88 acres of privately and state owned land within the park boundary. Congress included these lands to protect resources and allow for visitor use where appropriate, but the Park Service does not have unlimited authority for their management as long as they are privately owned. This constraint also applies to the 1,342.18 acres of nonfederal or part-nonfederal subsurface (mineral) rights within the park.

The park's separation into three distinct units makes it impossible to manage the area as an ecological unit. Maintaining natural area and wilderness characteristics is made very difficult because of developments on and uses of adjacent private, state, and federal lands. The developments and uses include extensive oil and gas recovery operations and crop and livestock production. They have caused or increased problems with air and auditory pollution, exotic plant infestation, maintenance and protection of rare, threatened, or endangered plants and wildlife, and boundary control of larger wildlife species. (The 7-foot perimeter fencing is now keeping bison in and livestock out of the park.)

LANDOWNERSHIP AND USES

REGIONAL OWNERSHIP AND USE

The regional area includes McKenzie and Billings counties. As shown by the following diagrams, more than two-thirds of the land area in McKenzie County is privately owned. The Little Missouri National Grassland (managed by the Forest Service) constitutes a major portion of each county, especially Billings County, where the national grassland accounts for nearly two-fifths of the total land area. Generally, the national grassland ownerships are interspersed with private and state lands.

The "other" category is mostly state land – primarily school sections (16 and 36) granted to the state during the last century. Small tracts of public domain land, managed by the Bureau of Land Management, are found east of the north unit and north of the south unit. The NPS area consists totally of Theodore Roosevelt National Park.

Badlands and grasslands, which represent about three-fourths of the total land area of both counties, are illustrated together in the following diagrams. These two landforms are often adjacent to, or interspersed with, each other. The badlands and grasslands areas shown here are outside the park and are primarily used for cattle grazing and oil and gas production. Croplands account for a little less than one-fifth of the total two-county area. The "other" category consists primarily of water surface and developed areas, such as towns.

IN-PARK OWNERSHIP AND USE

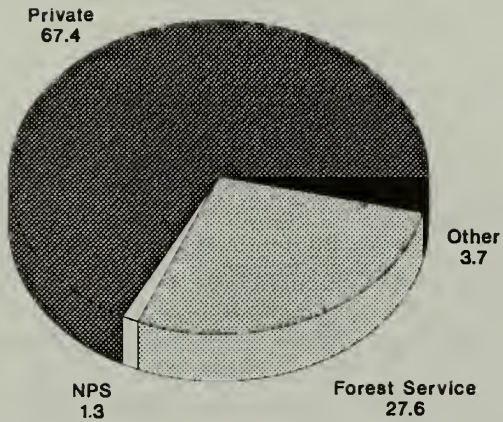
Table 1 summarizes land and minerals ownerships within the park boundary. No NPS-administered lands or mineral interests are owned outside the boundary. Information on private landowners follows the table. It should be noted that for a number of nonfederal mineral tracts, the United States owns any coal that might be present. Land and minerals (ownership) maps are found in the "Recommendations" section.

Only one landowner, Mrs. Ruth Baye, resides within the park boundary. All owners are North Dakota residents who are not dependent on their property as a source of livelihood. The properties are receiving little use beyond a limited amount of stock grazing. There is the potential for a home to be developed on one of the three north unit tracts owned by Odin Stutrud. The owner of the two tracts in the south unit, Norbert Sickler, acquired the properties from St. Joseph's Catholic Church following the completion of I-94 and the elimination of road access to the tracts. None of the private tracts are critical to any continuing ranch or farming operations.

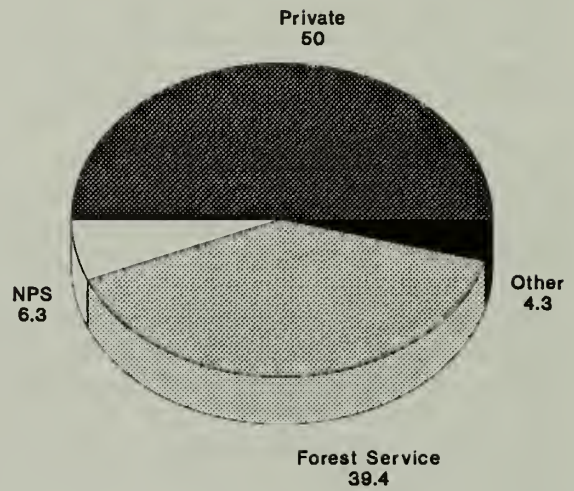
Approximately 97 percent of the park is in a natural or near-natural condition. The remainder is private land that is currently used lightly for stock grazing, as well as several limited areas of the park that are developed for roads, other visitor use, administrative purposes, and preservation of historic resources.

LANDOWNERSHIP

McKenzie County

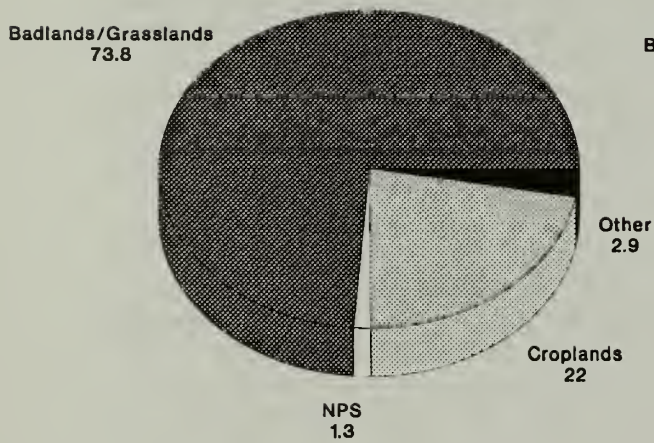


Billings County



LAND USE

McKenzie County



Billings County

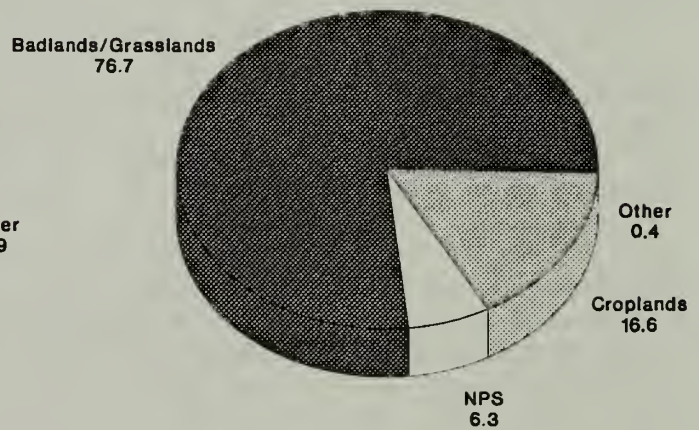


**Table 1: Land and Minerals Ownership within the Park
(as of October 31, 1989)**

Surface Ownership	Acres
Federal lands	69,701.71
Private lands	690.44
Nonfederal public land (state)	54.44
Total Lands	70.446.59
Subsurface Ownership	
Federal	(69,104.41)
Other public	(202.50)
Private	(1,139.68)

NOTE: The minerals ownership acreages are shown in parentheses as they are included in the surface ownership acreages shown above and should not be totaled together. The subsurface acreage figures for the federal, private, and partial federal ownership categories are actually approximate, as they are a combination of a number of exact acreages and a few estimated acres.

HISTORY AND CURRENT STATUS OF LAND PROTECTION ACTIONS

The acquisition history of the park is reflected in table 2. The acreage shown as disposed inside boundary resulted from a boundary change. The mineral rights acquired are those that did not come with the surface ownership; the acreage is shown in parentheses as it should not be totaled with the surface acreage figures. Only 235.95 acres of land have been acquired through condemnation. There are no pending actions at this time.

**Table 2: Park Land and Minerals Acquisitions
(as of December 31, 1985)**

<u>Method of Acquisition</u>	<u>Acres Acquired inside Boundary</u>	<u>Acres Disposed inside Boundary</u>
Purchase	378.59	
Complaint in condemnation	160.00	
Declaration of taking	76.07	
Donation	206.29	
Exchange	10,132.51	
Transfer	80.48	
Withdrawal	59,091.40	
Disposal other than exchange		574.87
Total Fee (Surface)	70,125.34	574.87

COMPATIBLE AND INCOMPATIBLE USES

Private ownership and current uses of land within the park boundary are not having a significant or adverse impact on park resources at this time. For the short term, continuation of these uses such as light grazing is compatible with park purposes. However, west of US 85 these existing uses are not compatible with the long-term objectives to restore natural conditions, prevent new development that would intrude on the open landscape, and provide for visitor use. East of US 85 the land does not have the same natural and public use values as the rest of the park and management objectives are to protect scenic qualities of the park entrance that might be damaged by intense development of these tracts. Most commercial or industrial uses would be incompatible, but a few carefully sited and designed single family houses on the tracts east of US 85 would be compatible with long-term objectives for the park. As discussed above, development of private minerals within the park has a high potential for adverse impacts on park resources. For tracts near the boundary, development of private minerals inside the park would be acceptable only if they could be extracted by directional drilling or other methods that did not involve surface disturbance or other adverse impacts on natural and scenic resources.

The "Recommendations" section includes a more detailed description of what current and potential uses of private lands are considered to be compatible until the necessary interests can be acquired to ensure long-term protection and management consistent with park purposes. These guidelines are intended to assist park managers and inform owners under what circumstances the National Park Service may initiate action to acquire an interest in land before the owner offers to sell. These guidelines do not diminish any existing rights of landowners to use their property.

PROTECTION ALTERNATIVES

The land protection methods in this section have been analyzed for their applicability in protecting park resources and visitor use experiences.

FEDERAL AND STATE REGULATIONS

There are numerous federal regulations that provide varying degrees of protection for park resources. Theodore Roosevelt National Park is designated as a mandatory class I area to preserve, protect, and enhance its air quality, in accordance with the Clean Air Act (42 USC 7401 *et seq.*). The secretary of the interior and the park superintendent have an affirmative responsibility to protect the park's air quality related values (air pollution sensitive resources, including visibility, plants, animals, water quality, and historic and archeological objects and structures). Class I designation places the most stringent constraints on the construction and operation of major air pollution emitting facilities near the park. The act also places constraints on any park development or management activities that could affect air quality by requiring the park to comply with all federal, state, and local air pollution control laws and regulations.

Other laws and authorities govern protection of wetlands and major watercourses, extraction of minerals, discharge of dredge and fill material, nondegradation of water quality, and protection of endangered plant and wildlife species and cultural sites. However, many of these regulations are difficult to enforce on private lands, and therefore do not always provide the necessary level of protection of park resources.

Exploration and extraction of federal oil, gas, or other federal mineral resources are prohibited within the boundary of Theodore Roosevelt National Park. While the park's enabling legislation is silent on this matter, the Mineral Leasing Act of 1920 and the Mineral Leasing for Acquired Lands Act of 1947 specifically prohibit the disposal of federally owned minerals in "national parks and monuments." Thus, no federal mineral leases can be issued in the park.

With respect to nonfederal minerals, Congress specifically recognized the valid existing rights of mineral owners in section 7 of the legislation establishing Theodore Roosevelt National Park. The National Park Service, through the *General Management Plan* for Theodore Roosevelt National Park, has determined that mineral development in general is incompatible with the purposes of the park because such development would have an adverse impact on park resources and visitor experiences. Until such time as rights to the nonfederal oil and gas and other nonfederal minerals have been acquired by the United States, the National Park Service will regulate mineral development associated with these nonfederal rights on a case-by-case basis in accordance with all applicable federal regulatory authorities, including the requirements of 36 CFR, subpart B, which specifically governs nonfederal oil and gas development in parks.

North Dakota state laws and regulations address mineral resource extraction, water development and use, water pollution, hunting and trapping, outdoor advertising adjacent to highways, ecological preservation, open burning, and weed control. They also provide enabling laws for local government to exercise regulatory authority including land use controls. Additionally, the state has declared the Little Missouri River a state scenic river and has expressly prohibited channelization, reservoir construction, dredging, and diversion other than for agricultural or recreational purposes. The river has been considered for

federal wild and scenic river study, but such a study has never been authorized by Congress.

The state of North Dakota has both air and water quality standards as well as implementation plans. These standards are at least equal to the national standards. Air quality standards cover particulate matter, sulfur dioxide, nitrogen oxides, oxidants (O₃), carbon monoxide, and lead – the primary pollutants for which there are national standards. However, the state also has standards covering hydrogen sulfide (H₂S), which can emanate from oil and gas production facilities. Water quality standards include bacteriological, radiological, and inorganic/organic chemical parameters.

For both air and water quality programs, the state rather than the federal government has "primacy" (primary regulatory authority); the Department of Health has the responsibility for these functions. The National Park Service must adhere to the state standards in all management and development activities. The state has no noise quality standards and no floodplain standards (local governments also have no floodplain standards).

The state of North Dakota has had complete criminal and civil jurisdiction over the park. Until recently, the Park Service had only proprietary jurisdiction, and the park staff has had to call outside authorities on all violations other than those cited in the *Code of Federal Regulations*. Recently, though, the state granted the park concurrent criminal jurisdiction on lands within the park.

The park has complete jurisdiction over all wildlife (and all nonwildlife animals) within the park. However, all wildlife except the buffalo, wild horses, and longhorn steers become the responsibility of the state if they leave the park.

LOCAL REGULATIONS

Local zoning limits the density, type, location, and character of private development and can sometimes effectively control development without federal acquisition of lands or an interest in lands. Local zoning can support NPS management objectives when allowable economic uses of the land are compatible with protection requirements. Zoning does not, however, ensure permanent resource protection because it may be changed or variances may be granted. Also, zoning does not ensure that the public use and development needs of the National Park Service will be met.

McKenzie County has no zoning authority or other countywide land use controls that would apply to the north unit of the park.

Billings County maintains the authority to zone and control development and land use of all unincorporated areas of the county. Generally, the zoning regulates location, size, height, and use of structures; area and dimension of lots and yards; use of lands; size and placement of outdoor advertising signs and parking facilities; development and design of junkyards, airports, mobile home camps, mining operations, and other high-impact facilities; allowance of variances; and issuance of permits. Zoning also provides for designating portions of the county as agricultural, residential, commercial, or industrial and manufacturing districts.

Billings County has zoned lands around the south and Elkhorn units as agricultural. The only private lands within the park and in Billings County are the two Sickler tracts. Since these tracts have never been developed, there has been no occasion to implement these regulations.

County zoning ordinances are only expected to provide minimal complementary protection such as compatible/incompatible use standards for private lands within the park. First, private lands within the north unit are all within McKenzie County, which has no zoning or similar land use controls. Second, the only private tracts within the park and in Billings County are the undeveloped, inaccessible Sickler tracts. The Billings County zoning ordinance would not prohibit development of the tracts, only control the type, extent, and placement of such development.

The city of Medora has a zoning ordinance designed to ensure harmonious development, to preserve those buildings and areas that possess historical or aesthetic significance, and to discourage alterations to existing structures, or construction of new structures that would detract from the aesthetic qualities found within the historic district. The "City of Medora Historical Integrity Zoning Ordinance" provides for review and approval of proposals by the city council or through a public hearing process and prescribes penalties for violations. Boundaries of the historic district, which extend outside the city limits, encompass the headquarters area for Theodore Roosevelt National Park and about a half-section of park and Forest Service land north and northeast of Medora.

The Medora zoning ordinance could provide some protection to complement existing NPS authority to protect the headquarters area within the city of Medora. While the Park Service owns all of the surface of this area in fee, approximately 10 acres involve privately owned mineral rights (see Land and Mineral Status, Segment 02, map). Mineral ownerships appear to underlie several significant NPS structures, as well as portions of roads, parking areas, and landscaped areas. It is not certain if this zoning ordinance could prohibit or discourage any attempts to directionally drill to or otherwise remove oil and gas under the headquarters area. Potential use of the Medora ordinance is aided by the fact that jurisdiction of the historic district extends more than 1/2 mile beyond the limits of the town. This ordinance should be complementary to the Billings County zoning ordinance described earlier.

COOPERATIVE AGREEMENTS/MEMORANDA OF UNDERSTANDING

Cooperative agreements and memoranda of understanding are documents that define administrative arrangements between two or more parties. For Theodore Roosevelt National Park, agreements could be negotiated between the National Park Service and Billings and McKenzie counties, state of North Dakota, Forest Service, and Bureau of Land Management, as well as other government units or private parties. Terms of cooperative agreements could apply to a specific parcel or areas within or adjacent to the park and address land use activities, a specific use, levels of development, or resource protection. These agreements would contain any necessary restrictive provisions and identify the entity responsible for enforcement. Cooperative agreements are most applicable to shared planning and maintenance of visitor facilities and services, establishment of law enforcement and other jurisdictions, and cooperation in the management of cultural resources and wildlife habitat. Cooperative agreements do have limitations. They cannot be used to exercise control over a nonsigning third party and can be cancelled.

Cooperative agreements as a park land protection technique could be used most effectively in the following ways:

- cooperative land use planning and zoning assistance to Billings and McKenzie counties for private lands adjacent to the park

cooperative planning and agreement with the State Historical Society regarding viewshed protection and visitor access and use of historical society lands adjacent to the Elkhorn ranch site

agreement and planning with the State Historical Society or a private land trust regarding acquisition of scenic easements for private lands east of the Elkhorn ranch site

agreements (or quitclaim deed) by Billings County that there will be no exercise of rights regarding the county's apparent 50 percent ownership of two mineral rights tracts within the north-central part of the south unit (see Land and Mineral Status, Segment 02, map)

cooperative planning and/or agreements with the Forest Service and Bureau of Land Management to limit oil and gas leasing or to include environmental protection stipulations for leases that are granted near park boundaries, to otherwise protect significant cultural and natural resources (including wildlife habitat, scenic views, and wilderness values), and to provide complementary recreational opportunities or access.

ACQUISITION

Types of Acquisition

NPS acquisition of land in fee, in most instances, provides the maximum protection of land and its resources and often provides the greatest opportunity for visitor use. Fee acquisition is appropriate in those instances where maximum protection of resource values is necessary, the area is desired for public use, or an investment of federal funds requires full acquisition before capital improvements, such as needed visitor or administrative facilities, can be developed.

The National Park Service may acquire property and grant the previous owner the right to use and occupy the property under a life or term estate. This strategy provides for eventual public use and ownership with some dollar savings to the federal government, since the value of the retained estate is subtracted from the purchase price. There appear to be only limited situations within the park in which granting a life or term estate would be practical.

Acquisition of mineral (subsurface) rights does not involve transfer of fee simple ownership, unless the minerals are acquired with the surface. Mineral rights can be acquired in total, although in some cases that would involve acquiring the rights from multiple owners who possess different percentages of interests, as well as different types of minerals – e.g., all fluid minerals, coal resources, or possibly all minerals except coal (see Land and Mineral Status, Segments 01, 02, and 03, maps and appendix D). Except for the complication of multiple ownership, the steps that must be taken for minerals acquisition are similar to land acquisition.

An easement is a legally enforceable interest in land created by a transfer of certain property rights. Easement rights can be characterized as positive (allowing a use) or negative (restricting a use). For example, the National Park Service could acquire a positive easement to ensure public access across a property or a negative easement to restrict the owner's right to establish a commercial recreation business, develop structures, or subdivide the property. To provide the proper levels of land protection, the terms and stipulations of easements must reflect the type of land involved and the specific level of protection

required. Easements can, in some cases, provide adequate protection for the resource while still leaving the owner some use of the property.

Whether to purchase a property in fee or to acquire an easement depends on several factors, including resource values and objectives, visitor use needs, the willingness of the owner to sell or donate an easement, and the appraised value of the property in fee compared to the appraised value of an easement. The major consideration should be to acquire the interest needed to achieve park unit purposes.

Methods of Acquisition

Purchase. Based on national priorities, monies can be appropriated by Congress to purchase land or mineral rights for parks and other federal resource areas. Funds can also be donated to the Park Service to purchase fee or less-than-fee interest in private properties within the park.

All purchase negotiations are based on an approved appraisal of the fair market value.

Private Trust Purchase. Private nonprofit trusts can protect park values by acquiring minerals, or fee, or less-than-fee interest in land by purchase or donation. Private trusts can also have a legitimate role in protecting land outside the authorized boundary of the park by protecting adjacent lands to complement park purposes. The private ranching area immediately east of the Elkhorn ranch site (east of the river) may be particularly well suited for this type of trust involvement (see Elkhorn Unit Mineral Interests map). Use of scenic or agricultural easements would be most appropriate.

Donations and Bargain Sales. Donations and bargain sales are methods of acquiring land, mineral rights, or interests in land at less than full market value. Landowners may receive tax advantages by donating the full or partial value of their land to the Park Service or to eligible nonprofit organizations. Landowners should consult a qualified tax advisor for details. A bargain sale is a sale of property to a qualifying organization or government agency at a price that is less than its fair market value. The result is part sale and part charitable contribution.

Exchange. Land exchange transactions involving multiple party exchanges are usually complex but possible. If the Bureau of Land Management was willing to participate in a land exchange, private property within the park could be transferred to federal ownership. The Forest Service would be more likely to have suitable land for exchange in the vicinity of the park and might be agreeable to such an exchange.

Condemnation. Condemnation proceedings are regarded by the Park Service as a last resort and are used only when property that must be acquired cannot be obtained in any other way. Condemnations initiated by the filing of a complaint (without a declaration of taking) are used in most cases in which the private owner and the federal government cannot reach a price agreement. In these situations, title to the land does not pass to the government until a court or jury has determined just compensation and this amount has been paid to the owner. This method may also be used to clear land titles or when owners are unknown or cannot be located.

The Congress has also provided for the use of a declaration of taking, another form of condemnation, which vests property in the United States immediately upon filing papers in the court and depositing the estimated just compensation. Declarations of taking are typically used where title to the property must be vested in the United States immediately

in order to prevent resource damage. This method may also be used to clear title to land after a negotiated settlement.

Condemnation powers would be used in those cases in which all other efforts to maintain resource protection prove unsuccessful.

Boundary adjustments to delete private lands from the north unit east of US 85 were considered but rejected from further consideration. These lands are needed to protect resources and quality visitor experiences in this park entrance area. If deleted from the park, commercial or industrial and other types of developments could occur. These developments would adversely affect park values including the landscape's scenic quality.

RECOMMENDATIONS

COMPATIBLE AND INCOMPATIBLE USES – INTERIM GUIDELINES

The need to acquire full or partial interest of certain lands is identified in the following narratives. The National Park Service recognizes that the recommendations cannot be immediately implemented; for this reason, the following guidelines were developed. They are intended to guide NPS management to maintain park values and quality visitor experiences until the recommended federal interest is acquired. The guidelines are only acceptable for the short term and are not intended to replace long-term protection strategies such as federal acquisition in fee or scenic easement. Compatible uses of nonfederal land within the park are as follows:

Parkwide

1. Wildlife habitat
2. Open space

All Nonfederal Lands in North Unit

3. Uses 1-2 listed above
4. Uses existing as of October 1987, including:
 - agricultural/ranching uses of the land
 - agricultural/ranching support structures or improvements (fences, stock ponds, stock pens, water wells, barns, and storage buildings)
 - maintenance and minor upgrading of roads
5. Selective cutting of trees for personal uses (firewood, fence posts, etc.)
6. Any existing single-family residence that was built before October 1987, with allowance for minor modifications and repair thereafter

All Nonfederal Lands in North Unit East of US 85

7. All uses (1-6) listed above
8. One single-family dwelling per existing tract and set back a minimum of 200 feet from the east line of the US 85 right-of-way

If nonfederal property within the park is subjected to incompatible uses, all necessary authorities and actions will be employed to protect the resources involved. If necessary, the Park Service would attempt to acquire the property and condemnation would be considered. Landowners are encouraged to contact the park superintendent with any questions regarding possible incompatible land uses.

Incompatible uses of nonfederal land within the park are as follows:

1. Subdivision of land
2. New single- or multiple-family residences not permitted by item 10 of the compatible use list under north unit east of US 85
3. Commercial
4. Industrial
5. Mineral or rock exploration or extraction activity including, but not limited to, sand, gravel, limestone, and earth
6. Exploration or extraction of oil and gas resources
7. Commercial logging
8. Conversion of existing rangeland to cropland
9. Highly intensive agricultural uses such as a feedlot operations, stockyards, commercial sale barns, and significant overstocking/overgrazing
10. New access roads or a substantial upgrading of existing roads unless covered by specific agreement with the park superintendent
11. Major alterations, including development of any water impoundment, which constitutes a major change in the appearance and topography of the site
12. Installation of new television, radio, or satellite receiver without prior approval of the superintendent

IN-PARK RECOMMENDATIONS

Based on full consideration of the various alternatives and issues discussed previously, the proposed land protection recommendations for Theodore Roosevelt National Park are as follows:

Recommended Protection of Surface Ownerships

Recommendations for acquisition of nonfederal lands in fee and as easements are based on the degree of protection required for various areas of the park. With the information in the following paragraphs, recommended acquisitions can be identified on Land and Mineral Status, Segments 01 and 03, maps (also see table 3). Descriptions of these nonfederal tracts are found in appendix A.

As nonfederal tracts are acquired, it is recommended that any associated water rights be acquired as well. Not acquiring water rights may risk diversion of water away from the park and could adversely affect streamflows, water quality, habitat protection, and visitor use.

In the north unit there are six privately owned tracts, all at the east end of the unit, with a total area of 513.97 acres. In addition, 50.24 acres are in highway right-of-way, owned in fee by the state of North Dakota. The portions of tract 01-118 (Stenehjerm), tract 01-121 (Wright), and the small portion (2 acres) of tract 01-120 (Stutrud) west of US 85 are recommended for fee acquisition. All of the area to the east of US 85 within the park is recommended for scenic easement acquisition.

Total acreage proposed for fee acquisition: 125

Total acreage proposed for scenic easement acquisition: 389

Rationale: Public ownership in fee is necessary to allow for visitor use and visitor use development proposals in the area south of the north unit entrance. Fee acquisition of the private lands west of US 85 is also necessary to provide protection for the Little Missouri River shoreline, the US 85 corridor, and the area adjacent to the north unit headquarters and entrance.

Continued private ownership of the lands east of US 85 is appropriate, as long as uses are restricted to ranching and limited residential uses. These tracts are not needed for visitor use developments; scenic easements would be acquired to protect the scenic quality of the park entrance. Industrial activities would be prohibited.

In the south unit there are two separated private tracts, both owned by Norbert Sickler and bordering on the north right-of-way of I-94. These parcels are recommended for fee acquisition.

Total acreage proposed for fee acquisition: 176.3

Rationale: These two inaccessible parcels are a continuous part of a critical natural resource area of scenic badlands. There are no improvements or developments on these tracts that would be acceptable and compatible with the preservation of a scenic badlands natural area. Therefore, scenic easements would not be adequate protection. Access to these tracts was eliminated by the construction of I-94, while the property was held by the previous owner. If access were permitted, it would require a road that would cross adjacent park land as well as these tracts. This would damage sensitive natural and scenic resources.

Recommended Protection of Subsurface Tracts (Mineral Rights)

Parkwide recommendations involving the issues of federal mineral leasing, drainage of federal minerals, and nonfederal minerals acquisition and management, are described below.

Federal Minerals. There will be no additional leases issued for federal minerals, including oil and gas, within the park. Federal minerals within the park are not subject to disposal under federal mineral leasing laws.

In the event the Bureau of Land Management determines that drainage of federal oil and gas from within the park is being caused by activities of nonfederal parties outside the park, the Park Service will recommend to that agency implementation of its authority to negotiate agreements whereby the U.S. is compensated under 43 CFR 3100.2-1.

Table 3: Surface Ownerships and Acquisition Recommendations

Tract No.	Park Unit	Owner	Acreage	Interest or Protection Needed	Method of Protection
01-118	North	Stenehjem, et ux	90.52	Fee – 28 acres Scenic easement – 62.5 acres	Acquisition
01-119	North	McCloskey	120.00	Scenic easement	Acquisition
01-120	North	Stutrud	70.36	Fee – 2 acres Scenic easement – 68.36 acres	Acquisition
01-121	North	Wright	153.09	Fee – 95 acres Scenic easement – 58.1 acres	Acquisition
01-122	North	Stutrud	40.00	Scenic easement	Acquisition
01-123	North	Stutrud	40.00	Scenic easement	Acquisition
01-124	North	State of North Dakota	40.60	No interest	None (this is US 85 right-of-way)
01-125	North	State of North Dakota	9.64	No interest	None (same as above)
03-106	South	Sickler, et ux	149.00	Fee	Acquisition
03-108	South	Sickler, et ux	27.30	Fee	Acquisition
TOTAL			740.51	Fee – 301.30 acres Scenic easements – 388.97 acres No interest – 50.24 acres	



Looking south toward US 85 and the Little Missouri River in the north unit. The private land to the right (west) of the highway is recommended for fee acquisition, while the area to the left (east) is recommended for scenic easement acquisition.



Private tract 03-106 in the south unit. This inaccessible tract is in an area of undisturbed scenic badlands and borders I-94; it is recommended for fee acquisition by the National Park Service.

Nonfederal Subsurface (Minerals) Ownership. There are approximately 1,342.18 acres of nonfederal subsurface rights within Theodore Roosevelt National Park. To date, no known development of these rights has occurred, either inside or outside the park through directional drilling. The primary potential of these subsurface resources is for oil and gas recovery. Some coal (lignite) may exist, but there have been no attempts to extract coal from any area near the park. For a number of the nonfederal mineral tracts, the federal government (U.S.) owns the coal resources. Recently published BLM resource plans have identified several coal study areas adjacent to the park and within its airshed. These areas potentially contain sufficient federal and private coal reserves to make mining and sales economical.

The tracts in the south unit that apparently have shared ownership between Billings County and the United States will require a quitclaim deed, agreement, or other action to ensure federal control.

Detailed information on nonfederal minerals and mineral leases within the park is available for inspection at the Theodore Roosevelt National Park headquarters, Medora, North Dakota.

Nonfederal Minerals. Acquisition of nonfederal subsurface interests within the park may be necessary to carry out the purposes for which the park was established. To determine the need for such acquisition, mineral trends, activities, and technological advances in extraction techniques will be monitored. If private oil and gas can be extracted by means that would not create adverse impacts on the park, these rights may not have to be acquired. If it is determined, on a tract-by-tract analysis, that park values will be adversely affected by mineral extraction activities, then acquisition of nonfederal subsurface interests will be pursued. If it is determined acquisition is necessary, donation and exchange are the preferred methods. It is expected that some purchase will be necessary, however, and purchase will be possible only if funds are available. Condemnation may be necessary if all other means of protection are found to be inadequate. In any case, except where donation is involved, it is recognized that owners of subsurface rights will require compensation if their rights are acquired by the National Park Service. Until such time it is determined that all nonfederal subsurface rights are to be acquired, all applicable federal regulatory authorities, including the requirements of 36 CFR 9, subpart B, governing nonfederal oil and gas, would be fully applied to any proposed mineral activity.

If the Park Service acquires the nonfederal subsurface rights, these rights may be encumbered by leases to other parties. When the leases expire, they cannot be renewed because title to the minerals is vested to the United States, and federal leasing laws prohibit the disposal of federal minerals within units of the national park system. It is proposed that if subsurface interests are acquired, existing leases of record be allowed to expire or purchased if development is likely. Acquisition, including condemnation as a last resort, should be used as necessary when the development of existing leases would result in adverse impacts on park resources.

A summary of nonfederal mineral rights acreages by park unit follows. These tracts are shown on the accompanying Land and Mineral Status, Segments 01, 02, and 03, maps. More detailed information on subsurface ownerships is available at the Theodore Roosevelt National Park headquarters, Medora, North Dakota.

North unit acreage that may require acquisition (U.S. owns nearly all coal): 125

North unit acreage where acquisition through donation is the preferred method: 362.75 (Donation is preferable because the rights involved do not constitute an immediate threat to the park; however, if threats are identified acquisition would be pursued)



This scenic area, just north of I-94 in the south unit, is underlain with privately owned minerals.



Some of the NPS facilities and visitor attractions at Medora, including the Maltese Cross cabin, are underlain with privately owned mineral rights.

Elkhorn unit acreage that may require acquisition: 44.72

South unit acreage (all private except for coal in some cases) that may require acquisition: approximately 666

South unit acreage, with the U.S. a part-owner, that may require acquisition: approximately 58

South unit acreage that may require acquisition using various methods, except by purchase – apparent 50 ownership by the U.S.; other 50 percent ownership by Billings County: 144.78 (2 separated tracts)

Total private or part-private minerals acreage that may require purchase acquisition: approximately 894

Total private and other nonfederal minerals acreage where donation is the preferred method of acquisition: approximately 423 (includes 145 acres of tracts that appear to be half-owned by Billings County, for which it is assumed that purchase by the United States will not be required)

Rationale: The presence of the nonfederal mineral rights and the potential extraction of minerals result in possible adverse impacts on park resources. In the Medora area, major headquarters and visitor facilities could be affected. It is possible that improved technology in mineral extraction and site-specific mitigation measures could reduce these impacts on park resources to the extent that they were no more serious than those occurring from extraction activities outside, but adjacent to, the park. Therefore, determinations regarding potential acquisition should be made on a tract-by-tract basis. This determination will recognize impacts currently associated with oil and gas extraction outside the park (air quality degradation from burning spills, reserve pits, and gas burn off; effects of gas escape on vegetation, wildlife, and man; and intrusions on important vistas by development, air quality degradation, and gas flaring), as well as those impacts that will result from surface disturbance from erection of drilling rigs, pumps, tank batteries, and reserve pits; and construction of drilling pads, access roads, pipelines, and power lines within the park.

In addition to nonfederally owned minerals within the park, there are four south unit tracts of federally owned land (totaling 41.631 acres) that have been leased to the Amerada-Hess Corporation for oil and gas development, but that are not protected by inclusion of "no operational use of surface" clauses in the leases. This occurred because the leases were granted prior to these tracts being included in the park through a boundary adjustment involving the area between old US 10 and new I-94. Acquisition of the private leasehold interests is not recommended because these tracts are only small portions of the total leased area held by Amerada-Hess; the bulk of the area is outside the park boundary where the wellheads and related equipment for this area are located. In other words, the four tracts in question are a part of the area from which Amerada-Hess is already recovering oil and gas, through directional drilling from south I-94.

The Energy, Mining and Minerals Branch of the Land Resources Division, National Park Service, will assist the park staff in identifying what additional federal actions and/or regulations are needed to help protect the park from exploration and extraction of mineral resources within or adjacent to its boundaries.

ACQUISITION PRIORITIES

This section describes acquisition priorities and criteria used to arrive at these priorities. These priorities are intended to serve as a guide to park management in the use of land acquisition funds and may need to be adjusted as this plan is revised. There may be emergency or hardship situations that would also have to be considered regardless of priority.

Surface Ownerships

Priority 1. Included are tracts in areas of visual sensitivity and/or high resource significance requiring substantial protection. All or portions of tracts will be needed for proposed visitor use and development. Fee acquisition is needed of the following:

- North unit tract 01-118 west of US 85
- North unit tract 01-120 west of US 85
- North unit tract 01-121 west of US 85
- South unit tract 03-106
- South unit tract 03-108

Priority 2. This includes tracts in areas where the need to maintain scenic values requires protection from inappropriate or excessive development, and an interest in land will be needed. However, full federal fee title ownership is not essential, limited uses are acceptable, and therefore acquisition of a scenic easement is generally proposed for the following:

- North unit tract 01-121 east of US 85
- North unit tract 01-118 east of US 85
- North unit tract 01-119
- North unit tract 01-120 east of US 85
- North unit tract 01-122
- North unit tract 01-123

It should be emphasized again that any acquisition proposals in this plan, whether recommending purchase in fee title or a scenic easement, involves an "opportunity purchase" situation. This means that unless the property is put to a use that is incompatible with park purposes, land interests will only be acquired when the landowner is willing to sell and the land purchase meets NPS objectives.

Subsurface Tracts

Priority 1. Includes subsurface tracts that would adversely affect NPS facilities and developments.

- All tracts in the Medora Area underlying NPS facilities

Priority 2. Includes subsurface tracts underlying private surface tracts identified for NPS fee acquisition where protection of scenic and other resource values is important.

- Four subsurface tracts in the north unit

- Four subsurface tracts in the south unit

Priority 3. Includes subsurface tracts underlying important park resources or areas with high resource significance.

Two tracts underlying wilderness in the north unit

Two tracts underlying wilderness in the south unit

One tract in the Elkhorn unit

Priority 4. Includes subsurface tracts underlying park resources.

Three to four tracts in the north unit

A number of tracts in the south unit

Priority 5. Includes subsurface ownerships underlying private lands in the area east of US 85 in the north unit that have a high visual sensitivity.

Proposed for acquisition of mineral rights through donation only, unless purchase is necessary to prevent adverse impacts on park resources

EXTERNAL RECOMMENDATIONS

The following recommendations are made for issues that are external or largely external to Theodore Roosevelt National Park and affect park areas and visitors or are directly related to protection of park resources. They concern protection and development of the Elkhorn (ranch) unit, proposed expansion of the Medora airport, energy and water development outside the park, and cooperation with other units of government in land use and resource protection matters.

Elkhorn (Ranch) Unit Area of Resources Concern

This plan recognizes an area of resources concern identified in the 1987 *General Management Plan* (referred to as a resource protection zone in the 1986 *Environmental Assessment*) surrounding the Elkhorn unit. It is defined as a land area of special concern to the National Park Service. Federal, state, and private lands are involved, and total about 1,535 acres – private, 635 acres; Forest Service, 600 acres; State Historical Society, 240 acres; and river area (in legal contention as whether state or federally owned), 60 acres. The area of resources concern is important in conveying to the visitor a sense of the isolation and character of the landscape that influenced Roosevelt in the development of his great conservation ethic. Cooperative efforts with the Forest Service, State Historical Society, Bureau of Land Management, and private sector will be continued to minimize modern intrusions into this relatively small area. The National Park Service has worked and will continue to work closely with the Forest Service and the Bureau of Land Management to limit surface occupancy and incorporate limited surface use stipulations on oil and gas leases adjacent to the Elkhorn unit. This has proven to be a useful tool in protecting the park resources and values by recognizing this adjacent area of resources concern.

Protection of lands within the area of resources concern zone would be accomplished as follows:

For national grassland (Forest Service) and North Dakota State Historical Society lands, cooperative agreements would be sought. Both viewshed protection and required access to the Elkhorn ranch site from the proposed new county road would be included in those agreements.

For private ranch lands to the east of the Little Missouri River and across from the Elkhorn ranch site, either a private land trust or the North Dakota State Historical Society would be urged to acquire scenic easements on approximately 635 acres of private lands to protect the viewshed, restrict development, and perpetuate existing ranch use.

Surface occupancy for oil and gas and other mineral development would not be permitted on future leases under the proposed terms of both the cooperative agreements and the scenic easements. While existing lease terms and conditions would be honored, at such a time as existing leases expired or were dropped, any disturbed areas would have to be restored to a natural appearing condition. In addition, visual screening and other environmental precautions would be urged on existing lease areas. (See Elkhorn Unit Mineral Interests map for information on subsurface ownerships within this area.)

Rationale: The historic scene of the former Theodore Roosevelt ranch site is inadequately protected. The ranch site is surrounded by Forest Service, State Historical Society, and private lands. Billings County plans to construct a new road and river bridge that most likely will be located just to the south of the Elkhorn ranch site. This road will result in a significant increase in visitation to the ranch site because of improved access, which could result in undesirable changes in use for the lands surrounding the Elkhorn unit. Finally, the possibility of increased oil and gas activity exists in the area. The area of resources concern around the unit would aid in the ability to obtain agreements that restrict future surface oil and gas development, which would help to ensure the integrity and maintenance of the area's historic scene.

Proposed Expansion of Medora Airport

The National Park Service opposes any expansion of Medora's airport facilities, including the runway and immediate takeoff flight path, onto park land. Encouraging increased air traffic over the park and the use of park land for commercial airport use are both incompatible with the purposes for which the park was established and could diminish visitor enjoyment in and near Medora.

The existing airport area is situated almost entirely on land managed by the Forest Service. The Forest Service will be addressing various alternatives regarding the existing special use permit for the airport. Because of overlapping concerns and the dominant NPS ownership in the area, the Park Service will assist the Forest Service and seek to be an active co-participant in the consideration of airport issues and options.

Energy Development outside the Park

The following recommendations are aimed at reducing oil and gas operational impacts. Several of these actions, as well as the recommendation for coal development, are taken

from the 1984 *Natural Resources Management Plan*, although modifications and additions have been made as appropriate (also see Oil/Gas Resource and External Conditions maps).

Establish air quality trend data base maps showing point sources of pollution.

Continue the air quality monitoring program in the south and north units of the park. The program would be coordinated with present research projects on sensitive plant and animal species.

Continue mapping and photographing all structures around the park that are considered visual intrusions, some of which are also sources of air pollution.

Continue monitoring oil and gas developments adjacent to the park to better quantify/qualify noise, smoke, and gas impacts on the park resources.

Coordinate with the North Dakota Industrial Commission and other appropriate state agencies, as well as private oil and gas companies, to gain cooperation in reducing impacts from the installation of new wells, from production equipment, and from other developments on private or state lands close to park boundaries. Such activities as no burning of waste pits, removal of unneeded equipment, use of vapor recovery units on tanks, and muting or screening of visual impacts and sounds would be strongly encouraged.

Continue coordination with the Forest Service and the Bureau of Land Management in their attempts to reduce adverse impacts of oil and gas operations. Carefully review current draft management plans and future draft area plans and make appropriate recommendations. Also, work with the Forest Service in preparing environmental stipulations for new leases that may be issued. To the extent possible, make this site-specific and complete this coordination work by personally reviewing questions and explaining comments on the plans and lease documents with appropriate Forest Service personnel.

The park superintendent, with technical input from the National Park Service's Air Quality Office and the Rocky Mountain Region, should identify a threshold limit of the amount of air pollution that the park's sensitive resources will bear from SO sources. This limit should then be made part of the public record and included in park planning documents.

The following recommendation is made regarding the potential for future coal development as it relates to adverse impacts that the park would probably experience (see Coal Resource map):

The emphasis for proposed development and processing of coal resources must be to continue monitoring the situation; coordinate with the states of North Dakota and Montana, other agencies, and the Air Quality Office (NPS); and promote public awareness of the class I air quality standards established for park areas.

The following recommendations are directed toward the potential for water quality problems in park streams and aquifers from sources outside the park:

Coordinate with the Forest Service, Bureau of Land Management, and state of North Dakota to ensure there is some form of environmental monitoring and reporting of existing oil and gas operations. Monitoring should include several areas of concern, including detecting and seeking correction of potential aquifer and stream contamination that could have an impact on the park.

Directly monitor oil- and gas-related problem or potential problem situations, especially on private land adjacent to park boundaries. Report problems to appropriate federal and/or state agencies to effect corrections and compliance as necessary.

Prepare a comprehensive water resources management plan to address park water resource problems and management actions.

Cooperative Efforts on Land Use and Resource Protection

The following recommendations are made regarding the potential for greater interaction with local government on land use matters that could directly affect the park and the need for protection of the Little Missouri River in the general park area:

As was stated earlier, enforcement of local zoning and other land use ordinances could aid in limiting or modifying proposals for undesirable developments on private land near park boundaries. At present this has limited applicability, especially in McKenzie County, but as opportunities increase, park staff should stay in close contact with the county and city of Medora government to ensure local awareness of NPS interests and to explore opportunities for additional coordination.

If inappropriate developments are proposed close to the park, the staff should seek the opportunity to provide input before the proposals are accepted and implemented. The input would probably involve comments and suggestions regarding the location, design, and quality of proposed commercial, industrial, residential, transportation, and other uses and developments that could affect the park and its visitors. This type of cooperation might become more important in the future if pressures for private development close to the south and Elkhorn units, in particular, increase.

Segments of the Little Missouri River, a designated state scenic river, flow through or along the three units of the park. These river segments will be managed by the Park Service so as to protect the recognized outstanding values. Most of the river in the general park area, however, flows through the Little Missouri National Grassland, which contains lands managed by the Forest Service, and the state and lands privately owned. The Park Service urges these agencies and owners to also protect the river's value in concert with the goals of the state to prohibit any future impoundment, channeling, dewatering, or dredging (as well as degradation of the immediate shoreline).

EFFECTS OF LAND PROTECTION PLAN RECOMMENDATIONS

Implementation of land protection proposals would eliminate potential for additional private development (e.g., building and access roads) of the lands to be acquired in fee. On lands proposed for scenic easements, limited surface developments, such as residences, access roads, and agricultural structures could result.

Scenic quality of the park entrance at US 85 in the north unit would be protected from incompatible development, while lands in the park containing private mineral rights would be protected from any form of development. Except for the potential for development of existing oil and gas leases, the Elkhorn ranch would receive protection as a result of cooperative efforts around the boundary of this unit.



The proposed extension and realignment of the Medora airport landing strip, if implemented, would extend the far end of the airstrip to this point on park land. I-94 is ahead and below.



Oil and gas developments just outside the north boundary of the south unit of the park. In addition to being very noticeable, these developments can produce hydrogen sulfide, a poisonous gas potentially hazardous to park visitors and wildlife. Future leases should include stipulations to minimize such environmental impacts, and that developments like these found here be closely monitored.

Potential impacts of land protection plan proposals on owners of private land within the park would vary. For the Sickler properties in the south unit, there would be minimal impact because the tracts are not being used; the opportunity to sell those properties to the National Park Service could represent a positive impact because of the payment that would be received and the relief from annual payment of taxes. Portions of private tracts in the north unit that have been proposed for fee acquisition (west of US 85) are currently receiving little use, except for tract 01-121, which is held by an individual who resides on a portion of land proposed for acquisition. A life estate could be offered where a willing seller situation is present. Acquisition of three parcels west of US 85 would preclude other potential private uses of the land. The main impact would be experienced by the owners of tract 01-121 because this 95-acre area is the most desirable and strategically located of those tracts west of US 85. However, a portion of the property does lie within the 100-year floodplain of the Little Missouri River.

The private tracts east of US 85 in the north unit are also receiving little use. The acquisition of scenic easements for these properties should result in very little, if any, negative impacts for the owners because present uses could continue. Single residences could also be built on the tracts, and the owners would receive compensation for any additional property rights acquired.

To the extent that private subsurface rights are acquired by the Park Service, these rights will not be able to be developed for their mineral potential. This could result in an unknown amount of loss of owner profit and minerals (most likely oil and gas) that might otherwise be removed and added to the nation's mineral supplies. From a practical standpoint, however, in most areas of the park where private subsurface interests are found, the potential for profitable mineral extraction is limited. This observation is based on the fact that most nearby producing oil and gas wells and known (productive) geological structures do not occur where nonfederal mineral ownerships are located.

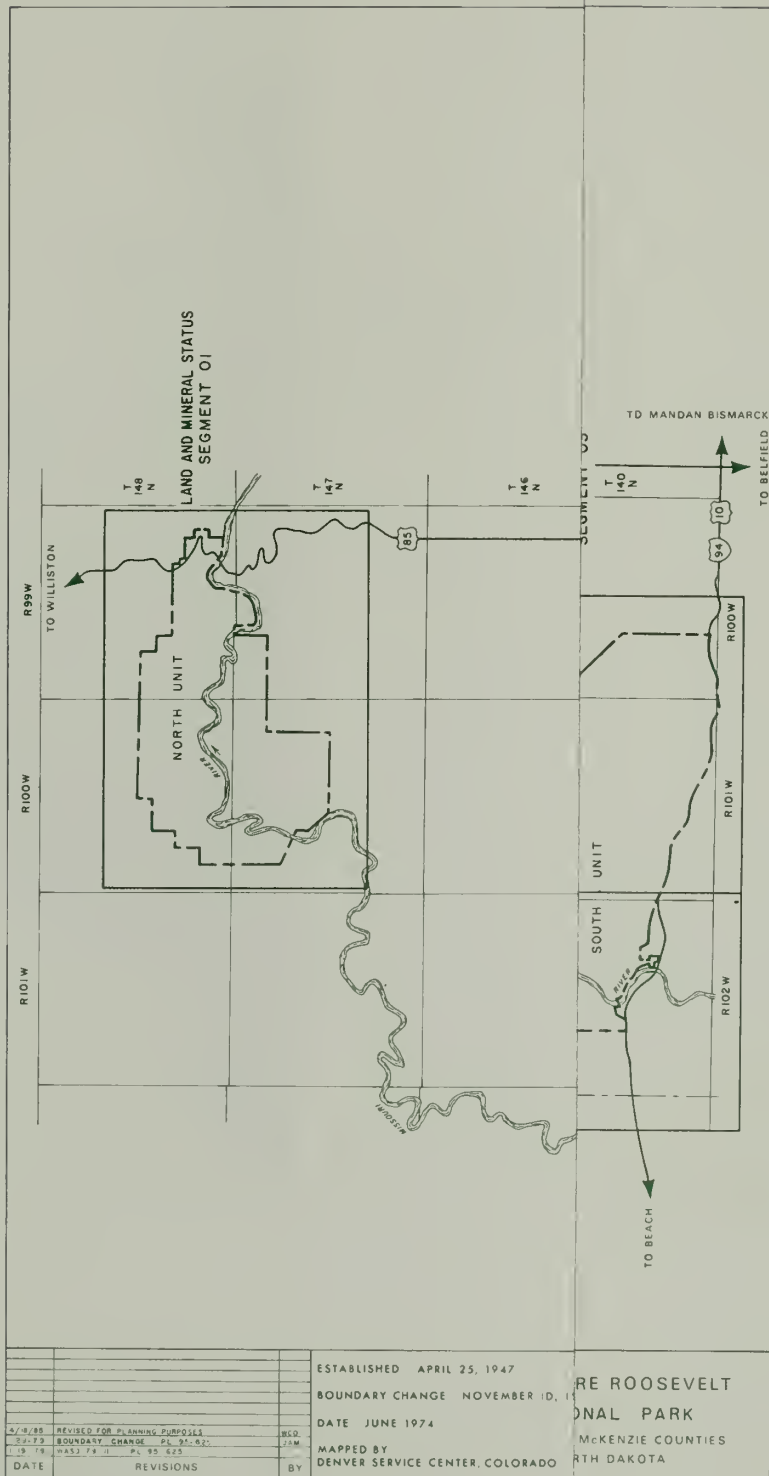
In any event, owners of subsurface rights will be compensated for the value of their rights. Thus, no significant negative impacts on owners are foreseen as a result of implementing the land protection plan proposals.

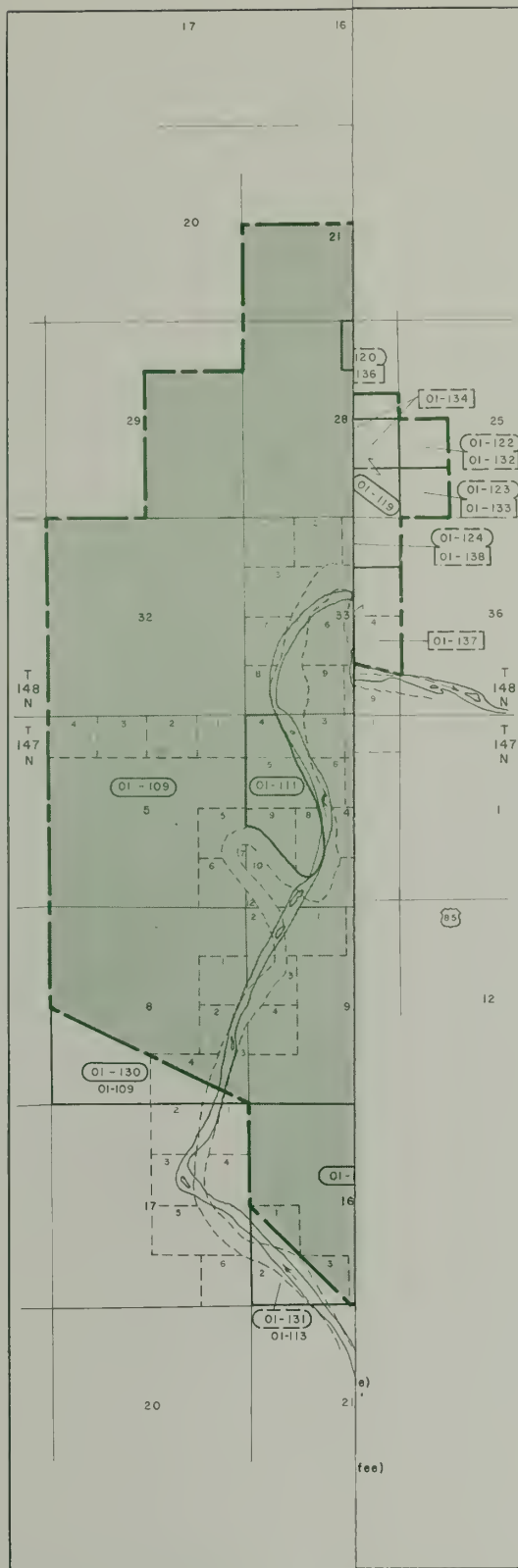
Implementation of the land protection plan proposals would have little effect on land uses in the park. Portions of the park that are now in a natural condition and that could be developed under scenic easement agreements would involve negligible acreage.

Implementation of land protection proposals that address private lands within the park would not change current uses of these lands, except possibly for the area west of the highway and north of the river in the north unit, where a canoe access site is proposed. However, future uses of the private lands to the east of US 85 would be limited to those compatible with maintenance of visual qualities from the highway and the park entrance/headquarters area.

In general, regarding both surface and subsurface land uses adjacent to the park, the National Park Service will continue to coordinate and work closely with local, state, and other federal entities to reduce, minimize, or eliminate any potential future impacts on park resources or the visitor experience.

The *General Management Plan/Development Concept Plan/Land Protection Plan/Environmental Assessment* (May 1986) contains a detailed section on "Environmental Consequences" of implementing both the general management plan and land protection plan proposals.





DEED	TRACT	OWNER	ACRES	INT
	01-101	NOT USED		
	01-102	NOT USED		
	01-103	NOT USED		
	01-104	NOT USED		
	01-105	NOT USED		
PUR-33	01-106	STATE of NORTH DAKOTA	3.54	FEE
	01-107	NOT USED		
EXC-2	01-108	STATE of NORTH DAKOTA	640.00	FEE
WIT-1	01-109	PUBLIC DOMAIN	21,784.44	FEE
00N-30	01-110	MONSEN, et al	320.00	FEE
EXC-25	01-111	MANDAL, et ux	145.13	FEE
00N-30	01-112	MONSEN, et al	40.00	FEE
EXC-2	01-113	STATE of NORTH DAKOTA	640.00	FEE
EXC-2	01-114	STATE of NORTH DAKOTA	173.30	FEE
	01-115	NOT USED		
	01-116	NOT USED		
	01-117	NOT USED		
	01-118	STENEHJEM, et ux	90.52	FEE
	01-119	McCLOSKEY	120.00	FEE
	01-120	STUTRUD	70.36	FEE
	01-121	WRIGHT, et al	153.09	FEE
	01-122	STUTRUD, et ux	40.00	FEE
	01-123	STUTRUD, et ux	40.00	FEE
	01-124	STATE of NORTH DAKOTA	40.60	FEE
	01-125	STATE of NORTH DAKOTA	9.64	FEE
DIS/OTH-41	01-126	TO STATE of NORTH OAK	- (0.77)	EASE
DIS/OTH-41	01-127	TO STATE of NORTH OAK	- (3.08)	EASE
DIS/OTH-41	01-128	TO STATE of NORTH OAK	- (5.30)	EASE
	01-129	NOT USED		
DIS/OTH-14	01-130	TO DEPT of AGRICULTURE	- 160.00	FEE
DIS/OTH-14	01-131	TO DEPT of AGRICULTURE	- 80.00	FEE
	01-132	CO of McKENZIE, et al (Exc Coal)	(40.00)	MIN
	01-133	STUTRUD, et ux (Except Coal)	(40.00)	MIN
	01-134	STENEHJEM, et al (Except Coal)	(130.52)	MIN
	01-135	UNKNOWN	(9.64)	MIN
	01-136	FEO LA BK of St Paul (Exc Coal)	(70.36)	MIN
	01-137	BAYE (Except Coal)	(153.09)	MIN
	01-138	UNKNOWN	(40.60)	MIN
	01-139	JOHNSON, et ux (Fluid)	(3.54)	MIN

NORTH UNIT

THEODORE ROOSEVELT
NATIONAL PARK

McKENZIE COUNTY
NORTH DAKOTA

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
LAND RESOURCES DIVISION

TITLE

SEGMENT 01

DATE	REVISIONS	DATE	REVISIONS
3/9/89	C.O. NO. 88-06	4/24/89	C.O. NO. 89
10/16/84	C.O. NO. 84-30	5/7/88	MAP REDRAW
5/18/84	C.O. NO. WASO 84-25	6/12/84	C.O. NO. 84
10/19/83	C.O. NO. WASO 84-03	12/1/83	C.O. NO. 84
1/19/79	C.O. NO. WASO 79-11	5/21/81	C.O. NO. 81
6/6/77	C.O. NO. 77-34	12/6/78	C.O. NO. 79

FORMAT REV. MAR 1975



DEED	TRACT	OWNER	ACRES	INT
WIT-1	02-101	PUBLIC DOMAIN	28,137.09	FEE
EXC-5	02-102	STATE of NORTH DAKOTA	320.00	FEE
EXC-6	02-103	STATE of NORTH DAKOTA	240.00	FEE
EXC-9	02-104	STATE of NORTH DAKOTA	(360.00)	MIN
EXC-7	02-105	STATE of NORTH DAKOTA	160.00	FEE
EXC-11	02-106	NW IMPROVEMENT CORP	640.00	MIN
EXC-2	02-107	STATE of NORTH DAKOTA	640.00	FEE
EXC-3	02-108	CHASE, et ux	313.00	FEE
DT-20	02-109	RED TRAIL COAL CO	27.00	FEE
TRA-15	02-110	FOREST SERVICE	0.48	FEE
EXC-4	02-111	COOPER	400.00	FEE
PUR-36	02-112	THEO ROOSE N H ASSD	(4000)	MIN
EXC-8	02-113	COOPER	80.00	FEE
DON-16	02-114	DE VALLOMBROSA	40.28	FEE
PUR-19	02-115	KUNKEL & WRIGHT	0.32	FEE
DT-21	02-116	NOYES	0.16	FEE
DT-18	02-117	GROW	1.27	FEE
DON-32	02-118	STATE of NORTH DAKOTA	218	FEE
PUR-22	02-119	SPURGEON, et vir	0.21	FEE
DT-24	02-120	HINKEL	0.29	FEE
DON-39	02-121	SPURGEON	(32000)	MIN
DON-40	02-122	BILLINGS COUNTY	(320.00)	MIN
DIS/OTH-27	02-123	TO DEPT of AGRI	- 60.78	FEE
DIS/OTH-28	02-124	TO STATE of NO OAK	- 0.00	ROW
DIS/OTH-27	02-125	TO DEPT of AGRI	- 74.46	FEE
	02-126	MERIDIAN LAND & MIN CO., et al	(853)	MIN
	02-127	MERIDIAN LAND & MIN CO., et al	(1021)	MIN
	02-128	MERIDIAN LAND & MIN CO., et al	(1057)	MIN
	02-129	UNKNOWN	0.17	FEE
	02-130	STATE of NORTH DAKOTA	0.11	FEE
EXC-2	02-131	STATE of NORTH DAKOTA	40.00	FEE
WIT-1	02-132	PUBLIC DOMAIN	540.66	FEE
WIT-1	02-133	PUBLIC DOMAIN	540.00	FEE
	02-134	FOREST SERVICE	1818	FEE
WIT-1	02-135	PUBLIC DOMAIN	145.85	FEE
	02-136	PUBLIC DOMAIN	122.68	FEE
EXC-7	02-137	STATE of NORTH DAKOTA	1,31.46	FEE
EXC-9	02-138	STATE of NORTH DAKOTA	(1,31.46)	MIN
WIT-1	02-139	PUBLIC DOMAIN	2,251.74	FEE
EXC-6	02-140	STATE of NORTH DAKOTA	(240.00)	FEE-0

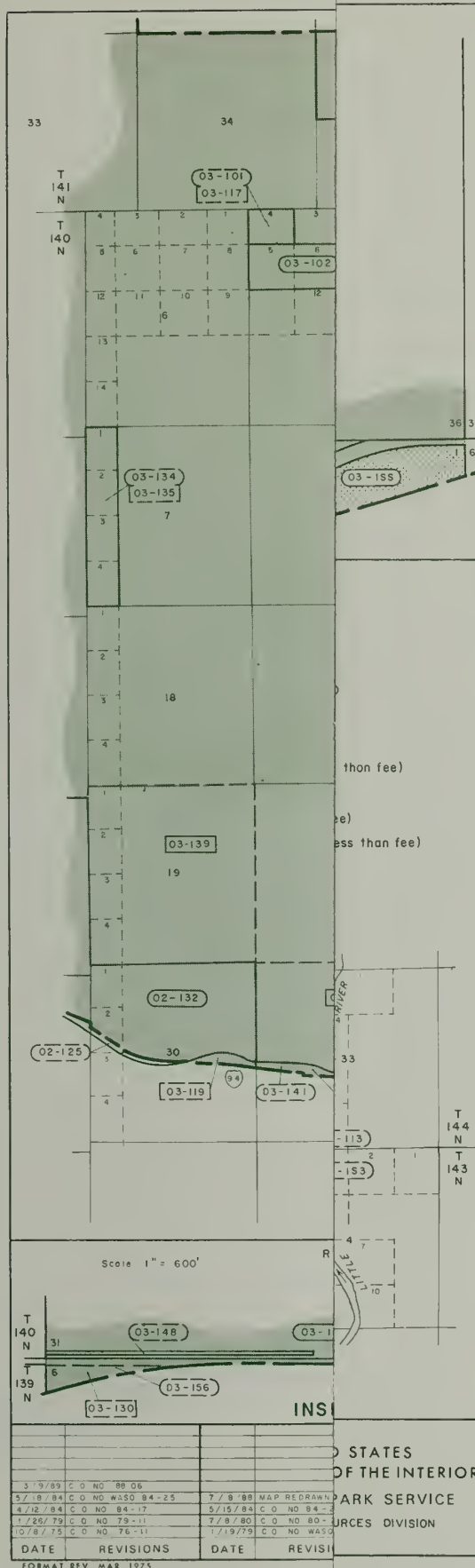
SOUTH UNIT

THEODORE ROOSEVELT NATIONAL PARK

BILLINGS COUNTY

NORTH DAKOTA

SEGMENT 02



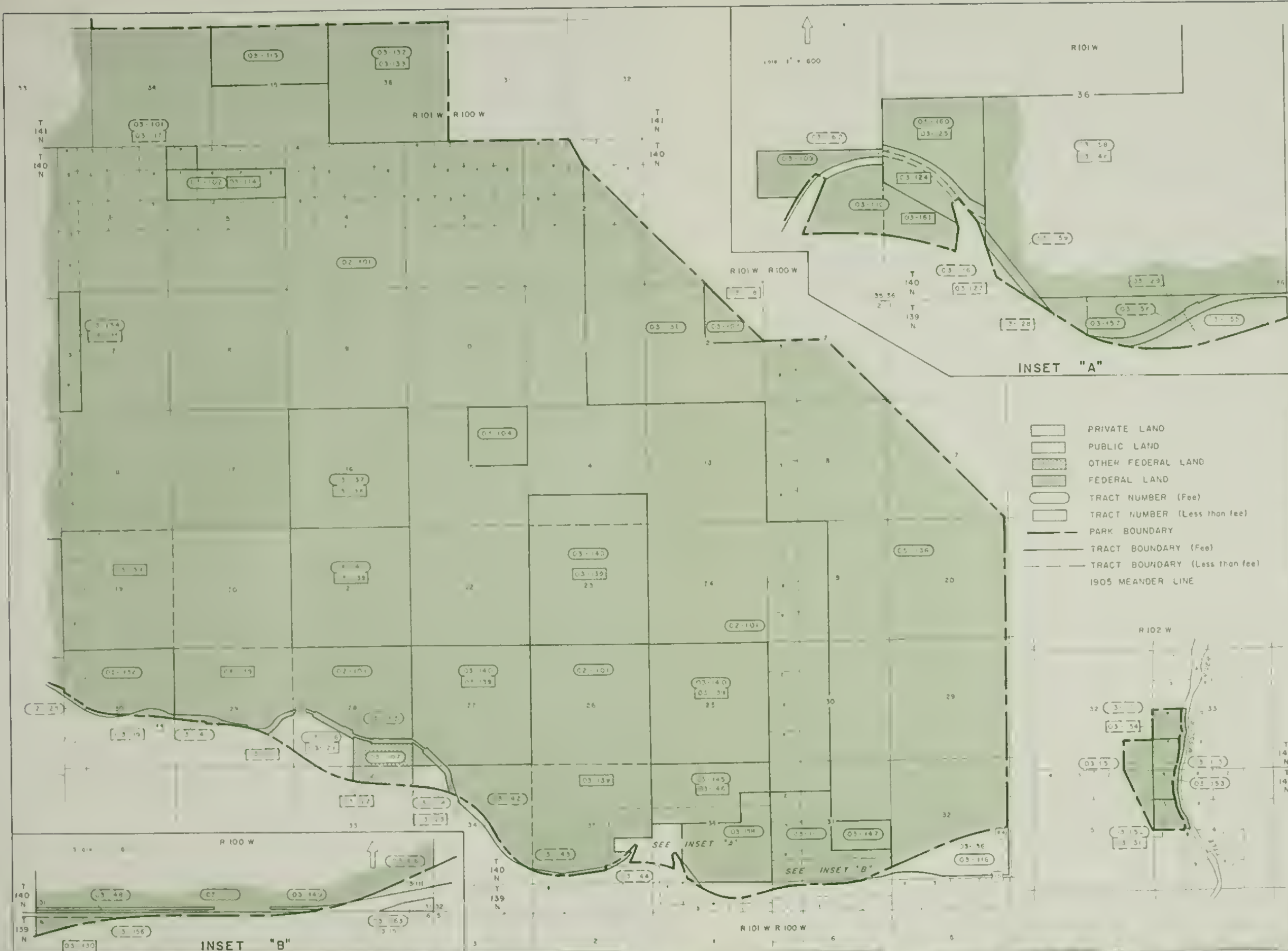
DEED	TRACT	OWNER	ACRES	INT
	02-101	NOT USED		
	02-125	NOT USED		
	02-132	NOT USED		
EXC-17	03-101	O'CONNELL	33.26	FEE
CDM-37	03-102	SMITH	160.00	FEE
TRA-34	03-103	8 L M	80.00	FEE
EXC-10	03-104	TALKINGTON, et ux	160.00	FEE
DON-35	03-105	STATE of NORTH DAKOTA	42.40	FEE
	03-106	SICKLER, et ux	149.00	FEE
	03-107	DEPT of AGRICULTURE	120.85	FEE
	03-108	SICKLER, et ux	27.30	FEE
DT-29	03-109	NOYES	22.00	FEE
DT-31	03-110	O'CONNELL	25.35	FEE
PUR-23	03-111	OLSEN, et ux	313.98	FEE
DON-13	03-112	KELLOGG & MACKOFF	32.66	FEE
PUR-12	03-113	KELLOGG & MACKOFF	60.54	FEE
DON-37	03-114	DEPCO, INC	(160.00)	MIN
WIT-1	03-115	PUBLIC DOMAIN	320.00	FEE
DIS/OTH-27	03-116	TO DEPT of AGRICULTURE	- 171.09	FEE
	03-117	COUNTY of BILLINGS (1/2 int)	(33.26)	MIN
	03-118	VANDERGRIFT, et al (Excp Coal)	(80.00)	MIN
	03-119	UNKNOWN	(12.42)	MIN
	03-120	BURLINGTON NORTHERN, INC	(45.46)	MIN
	03-121	O'CONNELL (Excp Uranium)	(115.39)	MIN
	03-122	MILESTONE PETROLEUM INC	(56.56)	MIN
	03-123	CEPERLEY, et al (Excp Coal)	(249.62)	MIN
	03-124	STATE of NO DAK (3/4 int)	(11.10)	MIN
	03-125	STATE of NO DAK	(28.11)	MIN
	03-126	STATE of NO DAK	.82	FEE
	03-127	STATE of NO DAK	(5.41)	MIN
	03-128	FISHER	(4.07)	MIN
	03-129	DLIS, et al (Coal)	(34.38)	MIN
	03-130	ST of NO DAK (1/2 int Excp Coal)	(3.05)	MIN
	03-131	SHAPIRO, et al (Excp Coal)	(44.72)	MIN
EXC-7	03-132	STATE of NO DAK	640.00	FEE
EXC-9	03-133	STATE of NO DAK	(640.00)	MIN
EXC-17	03-134	O'CONNELL	111.52	FEE
	03-135	COUNTY of BILLINGS (1/2 int)	(111.52)	MIN
WIT-1	03-136	PUBLIC DOMAIN	5,031.06	FEE
EXC-7	03-137	STATE of NO DAK	640.00	FEE
EXC-9	03-138	STATE of NO DAK	(640.00)	MIN
EXC-11	03-139	NW IMPROVEMENT CORP.	(4,005.67)	MIN
EXC-10	03-140	TALKINGTON, et ux	2,713.84	FEE
WIT-1	03-141	PUBLIC DOMAIN	29.75	FEE
DIS/OTH-27	03-142	TO DEPT of AGRI	- 27.59	FEE
WIT-1	03-143	PUBLIC DOMAIN	7.39	FEE
DIS/OTH-27	03-144	TO DEPT of AGRI	- 0.95	FEE
EXC-6	03-145	STATE of NO DAK	280.00	FEE
EXC-9	03-146	STATE of NO DAK	(551.00)	MIN
WIT-1	03-147	PUBLIC DOMAIN	80.00	FEE
DON-35	03-148	STATE of NO DAK	.117	FEE
DON-35	03-149	STATE of NO DAK	.017	FEE
PUR-23	03-150	OLSEN, et ux	(1.30)	FEE-D
WIT-1	03-151	PUBLIC DOMAIN	80.13	FEE
DON-13	03-152	KELLOGG & MACKOFF	44.72	FEE
DON-13	03-153	KELLOGG & MACKOFF (Water)	(26.26)	FEE-O
EXC-11	03-154	NW IMPROVEMENT CORP	(60.52)	MIN
	03-155	FOREST SERVICE	12.21	FEE
DON-35	03-156	STATE of NO DAK	11.01	FEE
WIT-1	03-157	PUBLIC DOMAIN	20.59	FEE
EXC-9	03-158	STATE of NO DAK	271.00	FEE
DON-35	03-159	STATE of NO DAK	3.59	FEE
EXC-17	03-160	O'CONNELL	28.11	FEE
	03-161	STATE of NO DAK	(10.05)	MIN
DIS/OTH-27	03-162	STATE of NO DAK	2.27	FEE
	03-163	TO DEPT of AGRI	(1.30)	FEE-D

SOUTH UNIT

THEODORE ROOSEVELT
NATIONAL PARK
BILLINGS COUNTY
NORTH DAKOTA

SEGMENT 03

3/9/89	C O NO 88-06	5/15/84	C O NO 84-25	7/8/88	MAP REDRAWN	5/15/84	C O NO 84-25
4/12/84	C O NO 84-17	7/9/80	C O NO 79-11	7/9/80	C O NO 79-11	7/9/80	C O NO 79-11
10/8/75	C O NO 75-11	10/8/75	C O NO 75-11	10/8/75	C O NO 75-11	10/8/75	C O NO 75-11
DATE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS
FORMAT REV MAR 1975							



- PRIVATE LAND
- PUBLIC LAND
- OTHER FEDERAL LAND
- FEDERAL LAND
- TRACT NUMBER (Fee)
- TRACT NUMBER (Less than fee)
- PARK BOUNDARY
- TRACT BOUNDARY (Fee)
- TRACT BOUNDARY (Less than fee)
- 1905 MEANDER LINE



DEED	TRACT	OWNER	ACRES	INT
02-101	NO USED			
02-102	NO USED			
02-103	NO USED			
02-104	NO USED			
02-105	NO USED			
02-106	NO USED			
02-107	NO USED			
02-108	NO USED			
02-109	NO USED			
02-110	NO USED			
02-111	NO USED			
02-112	NO USED			
02-113	NO USED			
02-114	NO USED			
02-115	NO USED			
02-116	NO USED			
02-117	NO USED			
02-118	NO USED			
02-119	NO USED			
02-120	NO USED			
02-121	NO USED			
02-122	NO USED			
02-123	NO USED			
02-124	NO USED			
02-125	NO USED			
02-126	NO USED			
02-127	NO USED			
02-128	NO USED			
02-129	NO USED			
02-130	NO USED			
02-131	NO USED			
02-132	NO USED			
02-133	NO USED			
02-134	NO USED			
02-135	NO USED			
02-136	NO USED			
02-137	NO USED			
02-138	NO USED			
02-139	NO USED			
02-140	NO USED			
02-141	NO USED			
02-142	NO USED			
02-143	NO USED			
02-144	NO USED			
02-145	NO USED			
02-146	NO USED			
02-147	NO USED			
02-148	NO USED			
02-149	NO USED			
02-150	NO USED			
02-151	NO USED			
02-152	NO USED			
02-153	NO USED			
02-154	NO USED			
02-155	NO USED			
02-156	NO USED			
02-157	NO USED			
02-158	NO USED			
02-159	NO USED			
02-160	NO USED			
02-161	NO USED			
02-162	NO USED			
02-163	NO USED			
02-164	NO USED			
02-165	NO USED			
02-166	NO USED			
02-167	NO USED			
02-168	NO USED			
02-169	NO USED			
02-170	NO USED			
02-171	NO USED			
02-172	NO USED			
02-173	NO USED			
02-174	NO USED			
02-175	NO USED			
02-176	NO USED			
02-177	NO USED			
02-178	NO USED			
02-179	NO USED			
02-180	NO USED			
02-181	NO USED			
02-182	NO USED			
02-183	NO USED			
02-184	NO USED			
02-185	NO USED			
02-186	NO USED			
02-187	NO USED			
02-188	NO USED			
02-189	NO USED			
02-190	NO USED			
02-191	NO USED			
02-192	NO USED			
02-193	NO USED			
02-194	NO USED			
02-195	NO USED			
02-196	NO USED			
02-197	NO USED			
02-198	NO USED			
02-199	NO USED			
02-200	NO USED			

DATE	REVISIONS	DATE	REVISIONS

ESTABLISHED APRIL 25, 1947
 BOUNDARY CHANGE NOVEMBER 10, 1978
 DATE JUNE 1988
 MAPPED BY LAND RESOURCES DIVISION
 WASU



ON BY	CE 87
APP BY	
REGION	ROCKY MTN
DRAWING NO	387
	92,004
SHEET	4 OF 4

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE
 LAND RESOURCES DIVISION

THEODORE ROOSEVELT
 NATIONAL PARK
 BILLINGS COUNTY
 NORTH DAKOTA
 SEGMENT 03

NORTH UNIT DISTRICT HEADQUARTERS

MINERAL INTERESTS

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

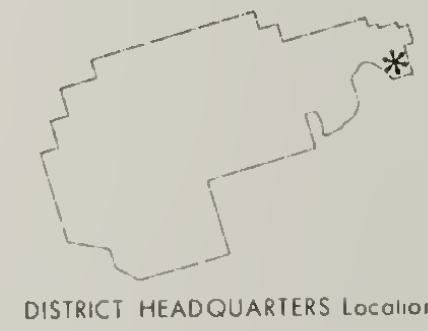
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,026-A
JAN 86	DSC



NORTH UNIT
DISTRICT HEADQUARTERS
MINERAL INTERESTS
THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,026-A
JAN 86	DSC



- FEDERAL OWNERSHIP WITHOUT OIL/GAS LEASE
- NONFEDERAL OWNERSHIP EXCEPT COAL WITHOUT OIL/GAS LEASE
- PARK BOUNDARY

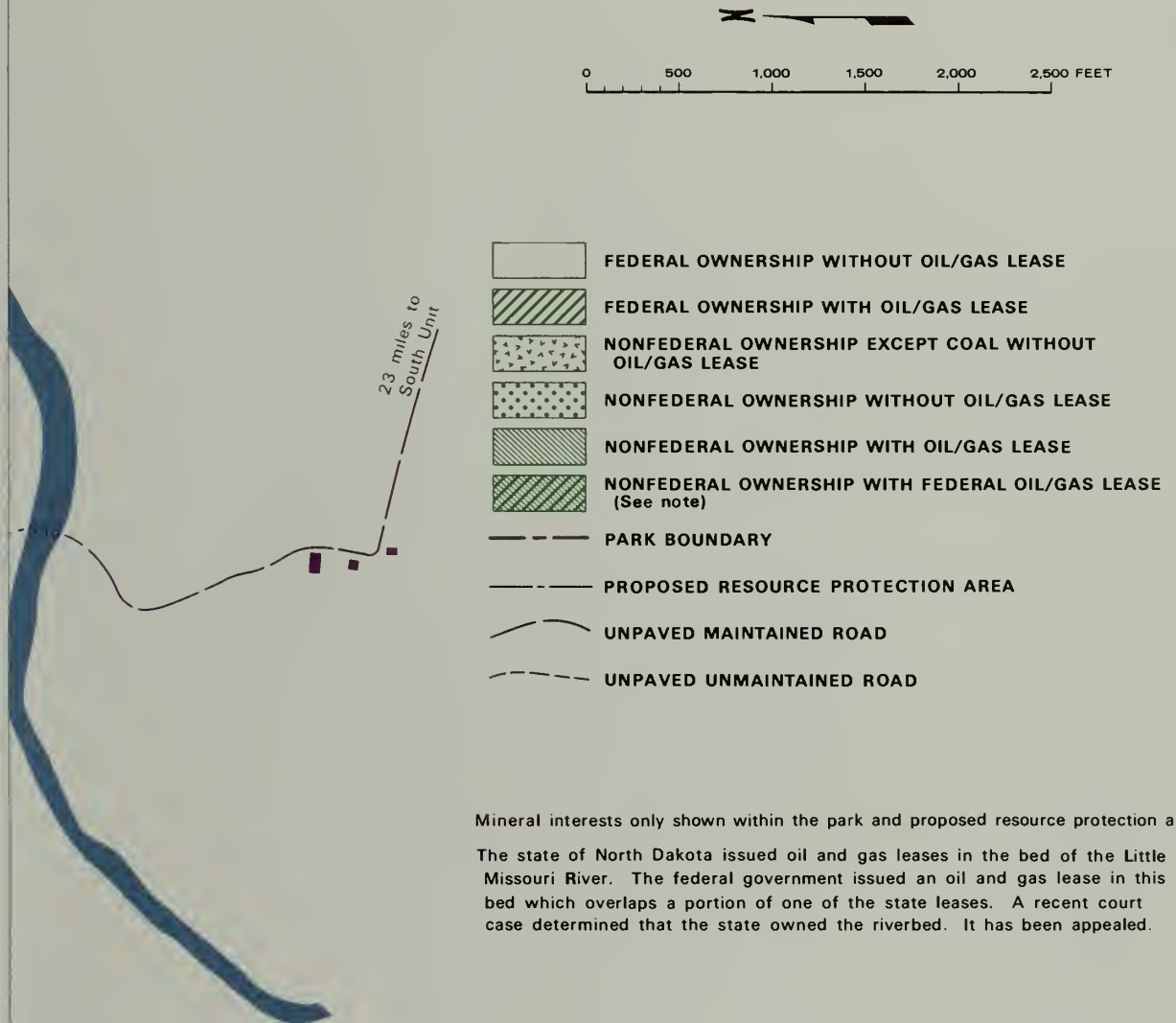
ELKHORN UNIT

MINERAL INTERESTS

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,023-A
NOV 86	DSC

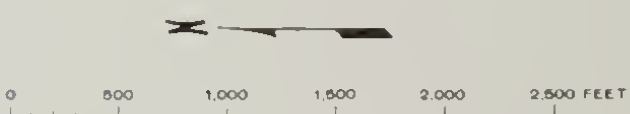


ELKHORN UNIT
MINERAL INTERESTS

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,023-A
NOV 86	OSC



- FEDERAL OWNERSHIP WITHOUT OIL/GAS LEASE
- FEDERAL OWNERSHIP WITH OIL/GAS LEASE
- NONFEDERAL OWNERSHIP EXCEPT COAL WITHOUT OIL/GAS LEASE
- NONFEDERAL OWNERSHIP WITHOUT OIL/GAS LEASE
- NONFEDERAL OWNERSHIP WITH OIL/GAS LEASE
- NONFEDERAL OWNERSHIP WITH FEDERAL OIL/GAS LEASE (See note)
- PARK BOUNDARY
- PROPOSED RESOURCE PROTECTION AREA
- UNPAVED MAINTAINED ROAD
- UNPAVED UNMAINTAINED ROAD

Mineral interests only shown within the park and proposed resource protection area.

The state of North Dakota issued oil and gas leases in the bed of the Little Missouri River. The federal government issued an oil and gas lease in this bed which overlaps a portion of one of the state leases. A recent court case determined that the state owned the riverbed. It has been appealed.



SOUTH UNIT PAINTED CANYON

MINERAL INTERESTS

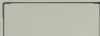
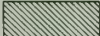
THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

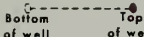
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,025-A
JAN 86	DSC



0 200 400 600 800 1,000 FEET

-  FEDERAL OWNERSHIP WITHOUT OIL/GAS LEASE
-  FEDERAL OWNERSHIP WITH OIL/GAS LEASE
-  FEDERAL AND NONFEDERAL OWNERSHIP AND OIL/GAS LEASES
-  PARTIAL FEDERAL OWNERSHIP WITH NONFEDERAL OIL/GAS LEASE
-  NONFEDERAL OWNERSHIP WITH OIL/GAS LEASE

 WELL (Directionally drilled)

 PARK BOUNDARY

Mineral interests only shown within the park.

All partial federal ownership is 25%.



PAINTED CANYON Location

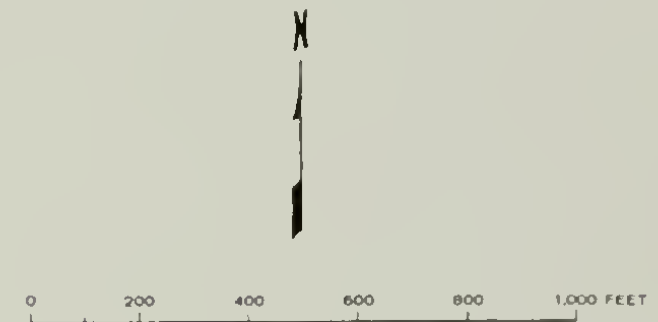
SOUTH UNIT PAINTED CANYON

MINERAL INTERESTS

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387 | 20 025 A
JAN 86 | DSC



- FEDERAL OWNERSHIP WITHOUT OIL/GAS LEASE
- FEDERAL OWNERSHIP WITH OIL/GAS LEASE
- FEDERAL AND NONFEDERAL OWNERSHIP AND OIL/GAS LEASES
- PARTIAL FEDERAL OWNERSHIP WITH NONFEDERAL OIL/GAS LEASE
- NONFEDERAL OWNERSHIP WITH OIL/GAS LEASE

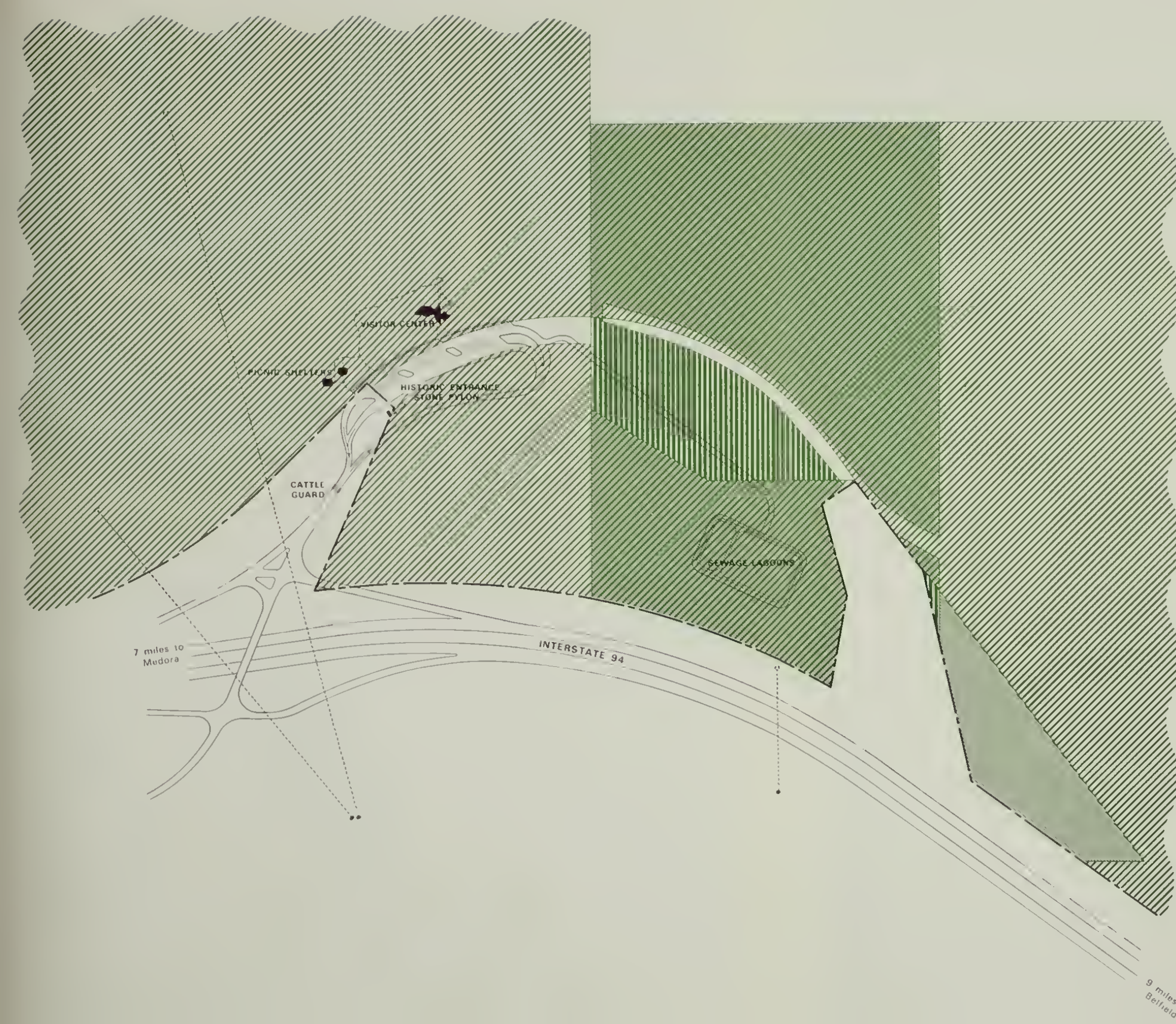
WELL (Directionally drilled)
Bottom of well Top of well

PARK BOUNDARY

Mineral interests only shown within the park

All partial federal ownership is 25%

PAINTED CANYON Location



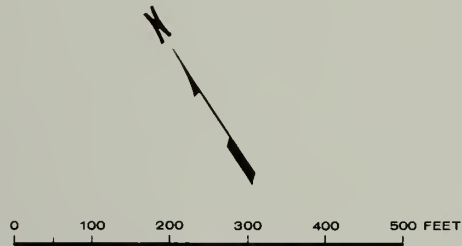
SOUTH UNIT MEDORA HEADQUARTERS

MINERAL INTERESTS

THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

387	20,024-A
JAN 86	DSC



MEDORA HEADQUARTERS Location



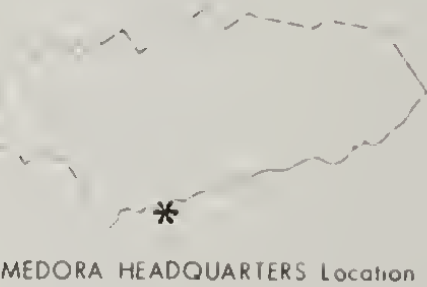
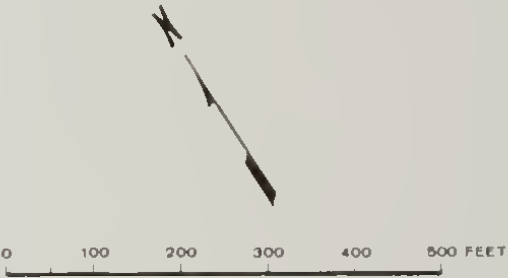
SOUTH UNIT
MEDORA HEADQUARTERS

MINERAL INTERESTS
THEODORE ROOSEVELT NATIONAL PARK
NORTH DAKOTA
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

- FEDERAL OWNERSHIP WITHOUT OIL/GAS LEASE
- NONFEDERAL OWNERSHIP WITH OIL/GAS LEASE
- PARK BOUNDARY
- MEDORA CITY LIMITS

Mineral interests only shown within the park

387 20,024-A
JAN 86 DSC



MEDORA HEADQUARTERS Location



FINDING OF NO SIGNIFICANT IMPACT

As part of the recent general management planning effort for Theodore Roosevelt National Park, a draft land protection plan (LPP) was prepared to address private land interests within the park's boundaries. The LPP provides strategies to guide the National Park Service in its management and protection of these private resources in relationship to the park's resources. The LPP and an environmental assessment (EA) were included as part of the *Draft General Management Plan* in May 1986.

The EA described the natural, cultural, and socioeconomic environments of the park and surrounding region and analyzed the environmental impacts that would result from implementation of the planning documents.

The LPP addresses private and other nonfederal lands and interests within the authorized park boundary and the protection of park resources from external influences. After public review, the LPP was prepared as a separate document, and the associated finding of no significant impact is included herein.

Various land protection alternatives were analyzed, including types of acquisition, federal and state regulations, local regulations, cooperative agreements, and memoranda of understanding. As a result of the planning analysis, and with the continuation of cooperative practices between the National Park Service and others, the preferred actions of the plan include using a combination of techniques and types of acquisition to protect park values. Private property within the park is recommended for either fee or scenic easement acquisition. The flexibility of the planning process and because the LPP is updated on a two-year basis will allow for creative and cooperative options for the National Park Service and private interests in working toward common goals.

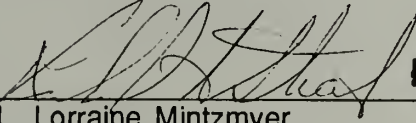
Implementation of the LPP will result in no adverse impacts on park resources.

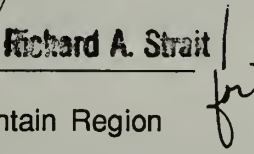
The public comment period for the EA lasted 84 days, and 20-30 responses were received.

The proposals constitute the National Park Service's LPP for Theodore Roosevelt National Park.

The analysis and impacts identified in the EA are such that this overall planning effort does not constitute a major federal action significantly affecting the human environment. Therefore, an environmental impact statement will not be prepared.

Approved:


L. Lorraine Mintzmyer
Regional Director, Rocky Mountain Region


Richard A. Strait

JUN 18 1990

Date

APPENDIX A: TRACT DESCRIPTIONS OF NONFEDERAL LANDS

LANDOWNERSHIP SUMMARY

The Land and Mineral Status maps in the text show the locations of the 10 nonfederal surface tracts (totaling 744.88 acres) within Theodore Roosevelt National Park. Except for 50 acres of state-owned highway right-of-way in the north unit, all tracts have been recommended for fee or scenic easement acquisition. A summary of the type, number, and acreage of nonfederal tracts by park unit follows:

Unit	Type of Tract	No. of Tracts	Total Acreage
North	Private	6	513.97
North	State (highway) right-of-way	2	54.44
Elkhorn South	-- Private (includes 0.17 acre of unknown property)	<u>3</u>	<u>176.47</u>
Totals		11	744.88

TRACT DESCRIPTIONS

A description of each (surface) tract of nonfederally owned land within the park follows. Each tract description also contains its protection recommendation and rationale for the recommendation.

NORTH UNIT

Tract 01-118

Total acres: 90.52

No improvements

Description

Tract 01-118 is a privately owned (Stenehjem, et ux) parcel at the east end of the north unit, adjacent on the west side to federal ownership. A newly constructed and rerouted section of US 85 cuts through the linear tract, leaving slightly less than one-third of the tract west of the highway and the remainder to the east of the highway. Much of the tract has been modified and scarred by an abandoned curve of former highway, as well as construction of the new highway, which has left one significant cut and several major road fills. In addition, a natural gas pipeline has recently been buried through the northeastern corner of the parcel, while a WAPA overhead power line angles through the southern portion of the tract.

The topography of the tract varies from gently sloping to moderately steep. Vegetation includes grasses, shrubs, and a limited amount of Rocky Mountain juniper. The property is used only for occasional horse or cattle grazing. It appears to have development potential both east and west of US 85. The right-of-way (3.54 acres) for the access road, between US 85 and the west boundary of this tract, is owned in fee by the USA; however, the mineral rights are privately owned.

Recommendation

1. Fee acquisition of the portion of the tract west of US 85 (about 28 acres)
2. Scenic easement acquisition of the portion of the tract east of US 85 (about 62.5 acres)

Rationale

The portion of the tract west of US 85 lying between the highway and the edge of the federally owned portion of the north unit is a critical area because it includes the US 85 corridor and lies adjacent to the north unit headquarters and entrance road.

While the portion of the tract to the east of US 85 can remain in private ownership, it should be restricted to ranching and limited residential uses to protect the scenic quality of the park entrance.

NORTH UNIT

Tract 01-119

Total acres: 120

No improvements

Description

Tract 01-119, owned by Maxine McCloskey, lies immediately to the east of tract 01-118. The southern third of the east boundary of the tract is also the east boundary of the north unit of the park. The tract is in a mostly natural condition except for the upper and lower sides of an abandoned curve of US 85, which are found within the north half of the property (the right-of-way for which has reverted to the tract owners). Also, the recently laid natural gas pipeline, described under tract 01-118, traverses most of the length of this parcel, while the WAPA overhead power line crossing 01-118 also angles laterally across this tract. Topography varies from mostly rolling at the south end to extremely steep at the far north end; much of the tract is fairly rough and uneven. Vegetation includes grasses, shrubs, and Rocky Mountain juniper.

The property is used only for occasional horse or cattle grazing. South of the abandoned highway curve, the tract appears to have some development potential, and parts of the tract have a pleasant view of the Little Missouri River and scenic lands to the south and east.

Recommendation

Scenic easement acquisition for the entire tract.

Rationale

Acquisition of a scenic easement on this tract is appropriate, as it is located east of US 85. The parcel can be seen from the park entrance area, and the proposed scenic easement should permit ranching and limited residential uses.

NORTH UNIT

Tract 01-120

Total acres: 70.36

No improvements

Description

This tract, owned by Odin Stutrud, is the northernmost parcel in the block of private land that forms the eastern end of the north unit. The reconstructed portion of US 85 cuts through the western end of the parcel. This leaves approximately 2 acres of the tract west of the highway; a large, mostly barren fill slope is immediately adjacent to this area, while to the immediate east of the highway a portion of a very large and bare cut slope dominates the scene. The linear tract is superimposed over the edge of an escarpment, which runs generally from the park radio tower near the tract's

northwest corner almost to its southwest corner. The (upper) area north of the escarpment edge is gently sloped, while the area to the south is a steep, unusable slope above the present US 85 and the abandoned curve section of the highway. Vegetation consists mostly of grasses and shrubs. Some of the steeper slopes, including the large cut, are mostly bare and subject to erosion. This parcel is also crossed by the newly laid (buried) natural gas pipeline installed by the Wiliston Gas Company.

The property may support occasional grazing and is crossed by commercial trail rides. The portions of the tract above the escarpment edge have agricultural as well as residential development potential. The steeper slopes that are found on half or more of the parcel are virtually unusable.

Recommendation

1. Fee acquisition of the 2-acre portion of the tract west of US 85.
2. Scenic easement acquisition of the portion of the tract east of US 85 (about 68.36 acres).

Rationale

Except for the small portion of the tract west of US 85, which immediately adjoins scenic resources of the north unit as seen from the highway, fee acquisition of this tract is not essential for the same reasons cited under the rationale for tract 01-119.

NORTH UNIT

Tract 01-121

Total Acres: 153.09

Limited improvements, as follows:
small mobile home residence, barn,
other minor structures, old rodeo
arena and corral, and fences.

Description

Tract 01-121, the largest and most significant of the private tracts here, is situated at the southeast corner of the north unit. It is the only private parcel containing a residence. The tract straddles US 85, while its entire south boundary is formed by the Little Missouri River. The western edge of the tract, most especially the northwest corner, lies very close to the maintenance and park residence area and a portion of the entrance road for the north unit.

The east side of the tract adjoins the property (outside the park) containing the Wike Dude Ranch, and a road from US 85 through the east side of the tract provides access to the dude ranch. The parcel has been modified from a natural condition to a relatively small extent, although the cut-and-fill reconstruction of a portion of US 85 has affected the north end, while the buried natural gas pipeline recently laid by the Wiliston Gas Company has left a noticeable south-north swath through the east side of the tract not far from the highway.

The topography varies from level to gently sloping. Much of the tract supports grass, sagebrush, and other small shrubs, but there is a large group of hardwood trees and shrubs in the southwest part of the parcel near the river. The tract is used only for stock grazing and as a residence, but it has the potential for development (including recreation) and perhaps farming.

Should the residence be occupied at the time of acquisition, relocation benefits would be provided for any displacement under the provisions of PL 91-646.

Recommendation

1. Fee acquisition of the portion of the tract west of US 85 (about 95 acres)
2. Scenic easement acquisition of the portion of the tract east of US 85 (about 58 acres)

Rationale

The location of this tract, especially the portion west of US 85, is extremely sensitive. It is adjacent to the north unit headquarters area, the Little Missouri River, US 85, and includes lands designated as a development zone in the *General Management Plan* for Theodore Roosevelt National Park. Any incompatible development within the parcel could be seen from the park entrance and most of the north unit headquarters area. The tract contains an area (west of the highway) needed for public access to and protection of the Little Missouri River shoreline.

The portion of the tract east of US 85 is on the river and is within easy view of the park entrance area. The controls that would be provided by the proposed scenic easement should provide adequate protection of this portion of the property, while permitting reasonable use of the land by the owners, such as ranching or limited residential uses.

Present uses may continue on the tract until a willing seller or opportunity purchase situation exists, so long as uses remain compatible with park purposes. A life or term estate may be appropriate in the future.

NORTH UNIT

Tracts 01-122 and 01-123

Total acres: Tract 01-122 – 40
 Tract 01-123 – 40

No improvements

Description

These two adjoining tracts are owned by Odin Stutrud, who also owns tract 01-120. The parcels are the easternmost of the private lands in this area. They were added to the park in 1978 to include the apex of the curve of US 85 that had previously not been contained within the boundary. This portion of the road has now been relocated, so these two parcels are removed from US 85. Except for the abandoned and reseeded highway right-of-way, these tracts are undisturbed. The topography is gently rolling. The environment is very pleasant, consisting of open grassy areas interspersed with shrubs and scattered trees. From certain points good views are available to the south and east.

The property is used for occasional stock grazing at most. It appears to have development potential.

Recommendation

A scenic easement is needed to ensure that compatible uses of this area continue.

Rationale

A scenic easement should provide adequate protection, while permitting reasonable use of the land, including ranching or limited residential use.

NORTH UNIT

Tracts 01-124 and 01-125

Total Acres: Tract 01-124 – 40.60

Tract 01-125 – 9.64

Improvements involve approximately
1.4 miles of US 85, including
right-of-way fences.

Description

All of this land is area that is owned in fee by the North Dakota State Highway Department as right-of-way for the development of US 85. All of these two sections are part of a stretch of highway that was recently reconstructed and improved; thus, all of the road is high standard and involves several substantial cuts and fills (some of which are on park land).

Tract 01-124 passes through privately owned tracts 01-118 and 01-121, while tract 01-125 passes through privately owned tract 01-120.

Recommendation

Continued state right-of-way ownership. No federal interest required.

Rationale

There are no natural or historical values contained within the highway right-of-way to require protection. Any protection needed will be adequately provided by the North Dakota State Highway Department.

SOUTH UNIT

Tract 03-106

Total acres: 149.00

No improvements

Description

Tract 03-106 is one of only two privately owned surface tracts in the south unit. These parcels, which are owned by Norbert Sickler and wife, are situated immediately to the north of I-94. This, the larger and more westerly of the two tracts, is largely (but not totally) visible from the highway. The north side of the parcel borders on the south edge of the former right-of-way for Highway 10, which has been abandoned and obliterated. The tract is completely undeveloped and lacks any form of access. This parcel, held by the previous owner at the time of interstate construction, was not provided any access from the new highway by the state. There is also no access to this location from the area of the park to the interstate. A high chain-link fence separates the south side of the tract from the interstate right-of-way.

The topography varies from nearly level to rolling, with some small buttes, steep slopes, and rough areas. Vegetation consists primarily of grass, with a few scattered shrubs, cottonwoods, and junipers. The tract is part of a scenic area of badlands, viewed by more people (from the interstate) than any other part of the park. The property has not been used by the present and previous owners.

Recommendation

Fee acquisition.

Rationale

This inaccessible parcel is a continuous part of a critical resource area of scenic badlands. There are no improvements or developments on these tracts that would be acceptable and compatible with the preservation of a scenic badlands natural area; therefore, scenic easement would not provide adequate protection. Any road access or developments on the tract would damage the sensitive natural and scenic resources.

SOUTH UNIT

Tract 03-108

Total acres: 27.30

No improvements

Description

Tract 03-108 is the additional (of two) privately owned surface tracts in the south unit. The information describing tract 03-106 also applies to this parcel, with the following differences. This smaller tract is approximately 0.16 mile east of tract 03-106. The old (obliterated) right-of-way for Highway 10 forms the east boundary of the tract. The property more or less centers on a gulch and the terrain is mostly steep-sided, with more gentle but limited terrain at the bottom. All of the tract is visible from I-94.

Recommendation

Fee acquisition.

Rationale

Same as for tract 03-106.

APPENDIX B: LEGISLATION

VI. LEGISLATION RELATING TO NATIONAL MEMORIAL PARK

1. Theodore Roosevelt National Memorial Park

	Page
Establishment of park; acquisition of lands authorized-----	
-----Act of April 25, 1947	305
Boundaries revised-----	308
-----Act of June 10, 1948	
Addition of lands to park-----	311
-----Act of June 12, 1948	
Correcting omission of words from Act of June 10, 1948-----	
-----Joint Resolution of June 29, 1948	312
Establishment of Theodore Roosevelt Centennial Commission authorized--	
-----Joint Resolution of July 28, 1955	313
Revision of park boundaries authorized-----	314
-----Act of March 24, 1956	
Additional appropriation authorized for Theodore Roosevelt Centennial	
Commission-----	316
-----Excerpt from Act of July 31, 1956	
Amendment to Joint Resolution of July 28, 1955, establishing Theodore	
Roosevelt Centennial Commission, authorizing an appropriation for	
Commission-----	317
-----Act of August 6, 1956	
Amendment to Joint Resolution of July 28, 1955, establishing Theodore	
Roosevelt Centennial Commission, authorizing and requesting the Presi-	
dent to issue a proclamation-----	317
-----Joint Resolution of September 4, 1957	
Secretary of the Interior authorized to provide water and sewage disposal	
facilities to Medora-----	317
-----Act of August 31, 1961	

An Act To establish the Theodore Roosevelt National Memorial Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, North Dakota; and for other purposes, approved April 25, 1947 (61 Stat. 52)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections, 36, 35, 34, 27, 28, and 29, township 140 north, range 101 west, to the west boundary of said section 29; north along section lines to the northwest corner of said section 29; west along section line to the southwest corner of section 19, township 140 north, range 101 west; north along township line to the southeast corner of the northeast quarter of the northeast

North Dakota.
Theodore
Roosevelt
National Me-
morial Park.

quarter of section 24, township 140 north, range 102 west; west to the southwest corner of the northeast quarter of the northeast quarter of said section 24; north to the northwest corner of the northeast quarter of the northeast quarter of said section 24; westerly along section lines to the southwest corner of section 16, township 140 north, range 102 west; northerly along section lines to the northwest corner of section 4, township 140 north, range 102 west; thence west along township line to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; northerly through the center of sections 34 and 27 to the northwest corner of the northeast quarter of section 27 of said township 141 north, range 102 west; easterly along section lines to the northeast corner of section 28, township 141 north, range 101 west; south along section lines to the southeast corner of said section 28; east along section line to the northeast corner of section 34, township 141 north, range 101 west; south to the northwest corner of the southwest quarter of section 35, township 141 north, range 101 west; easterly through center of sections 35 and 36 to the northeast corner of the southeast quarter of said section 36 of said township 141 north, range 101 west; south to the southeast corner of said section 36; thence east along township line to the northeast corner of lot 3, section 2, township 140 north, range 101 west; southerly through the center of sections 2 and 11 to the southeast corner of the southwest quarter of said section 11, township 140 north, range 101 west; easterly along section lines to the northeast corner of section 13 of said township 140 north, range 101 west; southerly along township line to the northwest corner of section 19, township 140 north, range 100 west; easterly along north line of said section 19 to the northeast corner of the northwest quarter; southerly through center of sections 19, 30, and 31 to the northwest corner of the southeast quarter of section 31; easterly along the center of said section 31 to the northeast corner of the southeast quarter; southerly along the east line of said section 31 to the southeast corner; westerly along the township line to the east line of section 36, township 140 north, range 101 west; northerly along the township line between townships 140 north, range 100 west and 140 north, range 101 west to the north right-of-way line of United States Highway Numbered 10, the place of beginning, containing thirty-five thousand two hundred and seventy acres, more or less, are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway. (16 U.S.C. § 241 as amended. See pp. 303-310, 312-313.)

Construction,
etc., of
highway.

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize the condemnation of lands for sites for public buildings, and other purposes" (25 Stat. 357), to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore Roosevelt National Memorial Park: *And provided further*, That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General. (16 U.S.C. § 242.)

Acquisition of private lands, etc.

40 U.S.C. §§ 257, 258.

Purchase.

Donations.

Titles, etc.

SEC. 3. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto. (16 U.S.C. § 243.)

Exchange of lands.

SEC. 4. The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Memorial Park, lots 2, 3, 4, and 6 of section 33, township 144, range 102, and to reconstruct thereon the log ranch house thirty by sixty feet, the log blacksmith shop sixteen by twenty feet, one log stable sixteen by twenty feet, one log stable twenty by thirty feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: *Provided*, That the total cost of such land and buildings shall not exceed \$40,000. (16 U.S.C. § 244 as amended. See p. 311.)

Acquisition of lots for reconstruction of buildings.

Cost limitation.

SEC. 5. The administration, protection, and development of the aforesaid park shall be exercised under the

Administration, etc., of park.

direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. § 245.)

5 U.S.C. § 485;
16 U.S.C.
§§ 1, 2-4, 22,
43.

Medora,
N. Dak.
Erection of
monument.

Cost limitation.

Care and
upkeep.

Existing
claims, etc.

Appropriations
authorized.

SEC. 6. The Secretary of the Interior is authorized to erect a monument in memory of Theodore Roosevelt, in the village of Medora, North Dakota, with the advice of the Commission of Fine Arts: *Provided*, That the cost of the monument shall not exceed \$35,000 and there shall be conveyed to the United States such suitable site as may in the judgment of the Secretary be required for said monument: *Provided further*, That the village of Medora, or other public agency or organization, shall furnish, in writing, assurance satisfactory to the Secretary of its willingness to assume the perpetual care and upkeep of the monument. (Repealed, 16 U.S.C. § 246. See p. 311.)

SEC. 7. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land. (16 U.S.C. § 247.)

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 241 note.)

An Act To amend the Act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes, approved June 10, 1948 (62 Stat. 352)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 25, 1947, is hereby amended as follows:

Theodore
Roosevelt
National Me-
morial Park.
61 Stat. 52.
16 U.S.C.,
Supp. I, § 241.
Post, pp. 384,
1102.

Amend section 1 to read "That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections 36, 35, 34, 27, 28, 29, and 30, township 140 north, range 101 west; thence northwesterly and southwesterly along the north line of the right-of-way of said highway to be relocated as shown on the right-of-way plat for project SNFAP 283C(3) filed for record in the office of the register of

deeds, Medora, North Dakota, book numbered 2 of plats, page 68, on June 13, 1942, through section 25 and the east half of the northeast quarter of section 26, township 140 north, range 102 west, to the point of intersection with the east sixteenth section line of said section 26; thence north along the sixteenth section line to the northwest corner of the northeast quarter of the northeast quarter of said section 26; thence northwesterly along a line to the northwest corner of the southwest quarter of the southeast quarter of section 23, township 140 north, range 102 west; thence westerly along the sixteenth section line to the northeast corner of the southeast quarter of the southeast quarter of section 22; township 140 north, range 102 west; thence southerly along the east section line to the southeast corner of said section 22; thence westerly along the south line of said section 22 to the point of intersection with the right bank of the Little Missouri River; thence northerly and westerly along the right bank of said river to the point of intersection with the east line of section 21, township 140 north, range 102 west; thence southerly along the east line of said section 21, to the intersection with the north line of the right-of-way of the Northern Pacific Railway, which point lies north of said United States Highway Numbered 10; thence westerly along the north line of said right-of-way to the point of intersection with the north line of the right-of-way of said United States Highway Numbered 10; thence westerly along the north line of the right-of-way of said highway through said section 21 to the intersection with the west line of said section 21; thence northerly along the west line of said section 21, and sections 16 and 9, thence continuing northerly to the southeast corner of Government lot 9, section 5, township 140 north, range 102 west; thence northwesterly to the northwest corner of Government lot 2 in said section 5; thence westerly to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; thence northerly along the quarter section line to the northwest corner of the said southeast quarter of section 34; thence northwesterly along a line to the southwest corner of section 27, township 141 north, range 102 west; thence northerly along the west line of said section 27, to the southwest corner of the northwest quarter of said section 27; thence northeasterly along a line to the southwest corner of the southeast quarter of section 22, township 141 north, range 102 west; thence continuing northeasterly along a line to the southwest corner of the northwest quarter of section 23, township 141 north, range 102 west; thence continuing northeasterly along a line to the northeast corner of said northwest quarter of section 23; thence easterly along the north lines of said section 23, and section 24, township 141 north, range 102 west; to

the northwest corner of section 19, township 141 north, range 101 west; thence continuing easterly along the north line of said section 19 to the northwest corner of the northeast quarter of said section 19; thence southeasterly along a line to the northwest corner of the southwest quarter of the southwest quarter of the northwest quarter of section 20, township 141 north, range 101 west; thence southerly along the west line of said section 20 to the northwest corner of the southwest quarter of section 20; thence easterly to the northwest corner of the southeast quarter of section 20; thence southerly to the southwest corner of the southeast quarter of said section 20; thence easterly along the north lines of section 29 and section 28, to the northeast corner of section 28, township 141 north, range 101 west; thence southerly along the west line of section 27, township 141 north, range 101 west, to the southwest corner of said section 27; thence easterly along the north lines of sections 34, 35, and 36 to the northeast corner of section 36, township 141 north, range 101 west; thence southerly along the east line of said section 36 to the southwest corner of section 31, township 141 north, range 100 west; thence easterly to the southeast corner of said section 31; thence southeasterly along a line to the northwest corner of Government lot 7 of section 2, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the southwest quarter of section 1, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the northeast quarter of section 12, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the southwest quarter of section 7, township 140 north, range 100 west; thence easterly along the quarter section line to the northwest corner of the southeast quarter of said section 7; thence southeasterly along a line to the northwest corner of section 17, township 140 north, range 100 west; thence continuing southeasterly along a line to a point which is 33 feet west of the east line of said section 17, and 33 feet north of the south line of said section 17; thence southerly on a line which lies 33 feet west of and parallel to the east lines of sections 20, 29, and 32 of township 140 north, range 100 west, to the point of intersection with the north right-of-way line of United States Highway Numbered 10; thence westerly along the north line of said right-of-way through said sections 32 and 31, township 140 north, range 100 west, to the point of intersection with the east boundary of section 36, township 140 north, range 101 west, the place of beginning, containing forty-nine thousand one hundred and fifty-three and seventy-nine one-hundredths acres more or less." (16 U.S.C. § 241. See pp. 305-306, 312-313.)

Amend section 4 by striking out "lots 2, 3, 4, and 6 of section 33, township 144, range 102," and inserting in lieu thereof "lots 6 and 7, section 33, township 144 north, range 102 west; southeast quarter of southwest quarter, section 32, township 144 north, range 102 west; lots 4 and 5, section 4, township 143, range 102 west; and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5," (16 U.S.C. § 244. See p. 307.)

61 Stat. 54.

61 Stat. 54.

Strike out all of section 6 and renumber the remaining sections accordingly. (16 U.S.C. § 246. See p. 308.)

SEC. 2. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States. (16 U.S.C. § 241 note.)

Conveyance to other agencies.

An Act To add certain lands to the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes, approved June 12, 1948 (62 Stat. 384)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby made a part of the Theodore Roosevelt National Memorial Park, subject to all laws and regulations applicable thereto:

Theodore Roosevelt National Memorial Park. *Ante*, p. 352; *post*, p. 1102.

Beginning at the southwest corner of section 17, township 147 north, range 100 west; thence north along the west boundaries of sections 17, 8, 5, township 147 north, range 100 west, and section 32 to the southwest corner of section 29, township 148 north, range 100 west; thence east to the southwest corner of the southeast quarter of section 29; thence north to the northwest corner of the southwest quarter of the northeast quarter of section 29; thence east to the northeast corner of the southeast quarter of the northeast quarter of section 29; thence north along west boundary of sections 28 and 21 to the west quarter corner of section 21; thence east to the east quarter corner of section 21; thence north along west boundary of section 22 to the northwest corner of section 22; thence east along the north boundaries of sections 22, 23, 24, township 148 north, range 100 west and sections 19 and 20 to the north quarter corner of section 20, township 148 north, range 99 west; thence south to the northwest corner of the southeast quarter of section 20; thence east to the east quarter corner of section 20; thence south

to the southeast corner of section 20; thence along the north boundaries of sections 28, 27, and 26, township 148 north, range 99 west, to the northeast corner of section 26; thence south along east boundaries of sections 26 and 35 to the east quarter corner of section 35, township 148 north, range 99 west; thence west to the north bank of Little Missouri River; thence following the north bank of the Little Missouri River in a generally westerly direction to where the north bank of the river crosses the north boundary of section 4, township 147 north, range 99 west; thence west to the northwest corner of section 4; thence south to the southeast corner of section 5; thence west along the south boundaries of sections 5 and 6, township 147 north, range 99 west, and section 1, township 147 north, range 100 west to the northeast corner of section 11; thence south along east boundaries of sections 11 and 14 to the southeast corner of section 14; thence west along the south boundaries of sections 14, 15, 16, and 17 to the point of beginning, all west of the fifth principal meridian. (16 U.S.C. §241a.)

Acquisition of
non-Federal
land.

Right-of-way
for stockmen.

Administrative
jurisdiction.

SEC. 2. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within sections 1, 12, and 13, township 148 north, range 100 west, and sections 6, 7, and 18, township 148 north, range 99 west. Reserving, however, to the stockmen of the surrounding area a perpetual right-of-way through the park for the trailing of livestock, to and from the railroad, along and adjacent to the Little Missouri River, being the same trail or route which has been used by the stockmen for that purpose since the beginning of the livestock industry in the area. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States. (16 U.S.C. § 241b.)

Joint Resolution Correcting Act establishing the Theodore Roosevelt National Memorial Park, as amended, approved June 29, 1948 (62 Stat. 1102)

Theodore
Roosevelt
National Me-
morial Park.
61 Stat. 52.
Ante, pp. 352,
384.

Whereas a clerical or printer's error by omission of words appears in section 1 of Public Law Numbered 620 amending the Act of April 25, 1947, establishing the Theodore Roosevelt National Memorial Park: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That section 1 of the Act of April 25, 1947, establishing the Theodore Roosevelt National Memorial Park as amended by Public Law Numbered 620 be further amended by striking out the period at the end of section 1 and inserting the following: “, are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway.” (See 16 U.S.C. § 241 note. See pp. 308-310.)

Construction of road, etc.

Joint Resolution To establish a commission for the celebration of the one-hundredth anniversary of the birth of Theodore Roosevelt, approved July 28, 1955 (69 Stat. 383)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the Theodore Roosevelt Centennial Commission (hereinafter referred to as the “Commission”) which shall be composed of fifteen Commissioners as follows: The President of the United States, the President of the Senate, and the Speaker of the House of Representatives, all ex officio, and eight persons to be appointed by the President of the United States, two Senators to be appointed by the President of the Senate, and two Representatives to be appointed by the Speaker of the House of Representatives.

Theodore Roosevelt Centennial Commission. Establishment.

SEC. 2. It shall be the duty of the Commission, after announcement to the American people of its creation and purpose, to prepare plans and a program for signaling the one hundredth anniversary of the birth of Theodore Roosevelt in the year 1958, including plans for the completion of the development of Theodore Roosevelt Island in the Potomac River in accordance with the Act entitled “An Act to establish a memorial to Theodore Roosevelt in the National Capital,” approved May 21, 1932 (47 Stat. 163) as amended by the Act approved February 11, 1933 (47 Stat. 799), and including the completion of the development of Theodore Roosevelt National Memorial Park in North Dakota, created by the Act of April 25, 1947 (61 Stat. 52), as amended. In preparing such plans and program, the Commission shall give due consideration to any plan which may be submitted to it, and shall take such steps as may be necessary to coordinate and correlate its plans with those prepared by State or civic bodies. If the participation of other nations in the commemoration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the State Department.

40 U.S.C. 124-126.

16 U.S.C. 241-247.

63 Stat. 954.
5 U.S.C. 1071
note.

SEC. 3. (a) The Commission shall select a Chairman and a Vice Chairman from among its members, and may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of section 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99) or section 412 of the Mutual Defense Assistance Act of 1949 (22 U.S.C. 1584); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101.)

62 Stat. 694.
63 Stat. 721.
39 Stat. 54.

SEC. 4. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

SEC. 5. When the Commission has approved a plan of celebration, it shall submit it, insofar as it relates to the fine arts, to the Commission of Fine Arts for its approval.

Report to Congress.

SEC. 6. The Commission shall, on or before March 1, 1956, make a report to the Congress in order that further enabling legislation may be enacted.

Appropriation.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of \$10,000.

Expiration date.

SEC. 8. The Commission shall expire upon the completion of its duties, but in no event later than October 27, 1959.

An Act To revise the boundaries of the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes, approved March 24, 1956 (70 Stat. 55)

Theodore
Roosevelt
National Me-
morial Park.
Boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby made a part of the Theodore Roosevelt National Memorial Park, subject to all laws and regulations applicable thereto: Beginning at a point in block 11 of the village of Medora, North Dakota, said point being on the northerly right-of-way line of Third Avenue a distance of 160 feet westerly from the northwest corner of the intersection of Third Avenue and Main Street; thence northerly a distance of 140 feet to a point on a line parallel to and 160 feet westerly of the westerly right-of-way line of Main Street; thence easterly 10 feet along a line parallel to and 140 feet northerly of the northerly right-of-way line of Third Avenue to a point

150 feet westerly of the westerly right-of-way line of Main Street; thence northerly 20 feet along a line parallel to and 150 feet westerly of the westerly right-of-way line of Main Street to a point on a line parallel to and 160 feet northerly of the northerly right-of-way line of Third Avenue; thence easterly along said line a distance of 150 feet to a point on the westerly right-of-way line of Main Street; thence northerly a distance of 40 feet along said westerly right-of-way line of Main Street to a point 200 feet northerly from the northwest corner of the intersection of Third Avenue and Main Street; thence easterly along a line parallel to and 200 feet northerly of the northerly right-of-way line of Third Avenue a distance of 970 feet to the northwesterly corner of lot 3 in block 8; thence southerly along the westerly line of lots 3 to 10, inclusive, in block 8 a distance of 200 feet to a point on the northerly right-of-way line of Third Avenue; thence along the northerly right-of-way line of Third Avenue extended easterly to a point on the west sixteenth line of section 26; thence northerly along said sixteenth line to a point on the section line common to sections 23 and 26; thence westerly along said section line to a point which is 600 feet easterly of the section corner common to sections 22, 23, 26, and 27; thence northerly along a line parallel to and 600 feet easterly from the section line common to sections 22 and 23 to a point on the south sixteenth line of section 23; thence westerly along said sixteenth line a distance of 600 feet to a point on the section line common to sections 22 and 23; thence southerly along said section line to the section corner common to sections 22, 23, 26, and 27; thence southerly along the section line common to sections 26 and 27 a distance of 390.5 feet; thence westerly a distance of 421.7 feet to a point on a line parallel to and 390.5 feet southerly from the section line common to sections 22 and 27; thence southerly a distance of 360 feet to a point in block 4 on a line parallel to and 150 feet westerly from the westerly right-of-way line of Main Street extended northerly; thence southwestwardly on a straight line through the southwestwardly corner of block 4 to a point on the southerly right-of-way line of Second Avenue extended westerly; thence westerly along said westerly extension of the southerly right-of-way line of Second Avenue to a point on the northeasterly right-of-way line of United States Highway Numbered 10; thence southeasterly along said northeasterly right-of-way line of United States Highway Numbered 10 to the intersection or juncture of said right-of-way line with the northerly right-of-way line of Third Avenue; thence easterly to the point of beginning; and all of that part of block 12 in the village of Medora that lies westerly of a line parallel to and westerly a distance of 140 feet

- Block 6, Medora.** from the westerly right-of-way line of Main Street; all in township 140 north, range 102 west, fifth principal meridian: *Provided*, That the lands and improvements thereon located in block 6 in the village of Medora now administered and used by the United States Forest Service, Department of Agriculture, shall not become a part of the park pursuant to this section until such time as they are transferred to the Department of the Interior by the Secretary of Agriculture. (16 U.S.C. § 241c.)
- Exclusion.** SEC. 2. The following area is hereby excluded from the park: That portion of section 8 lying southwest of a line between the common corner of sections 8, 9, 16, and 17 and the northwest corner of the southwest quarter section 8; that portion of section 16 lying southwest of a line between the southeast corner southwest quarter and the northwest corner southwest quarter section 16; and section 17, township 147 north, range 100 west, fifth principal meridian, North Dakota. (16 U.S.C. § 241d.)
- Boundary adjustments.** SEC. 3. The Secretary of the Interior is authorized to make further adjustments in the boundaries of the park along United States Highways Numbered 10 and 85 as he deems advisable and in the public interest if and when the alinement of these highways is changed: *Provided*, That not to exceed five hundred acres may be added to the park and not to exceed two thousand acres may be excluded from the park by such adjustments. Boundary adjustments made pursuant to this section shall be effective upon publication thereof in the Federal Register and all Federal land excluded from the park pursuant to this Act shall be transferred to the Secretary of Agriculture for administration or disposition in accordance with title III of the Bankhead-Jones Farm Tenant Act. (16 U.S.C. § 241e.)
- Publication in FR.** SEC. 4. The land exchange authority relating to Theodore Roosevelt National Memorial Park prescribed by section 3 of the Act of April 25, 1947 (61 Stat. 52), and by section 2 of the Act of June 12, 1948 (62 Stat. 384), shall be applicable also to the lands described in section 1 of this Act. (16 U.S.C. § 241f.)
- 50 Stat. 525.
7 U.S.C. 1010-1013.
Exchange authority.** Excerpt from "An Act Making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes," approved July 31, 1956 (70 Stat. 763, 767)
- 61 Stat. 54.
16 U.S.C. 243, 241b.** *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1957") for the fiscal year ending June 30, 1957, and for other purposes, namely:

* * * * *

THEODORE ROOSEVELT CENTENNIAL COMMISSION

For an additional amount for "Theodore Roosevelt Centennial Commission," \$163,400, to remain available until expended: *Provided*, That this paragraph shall become effective only upon the enactment into law of S. 3386, Eighty-fourth Congress.

An Act To amend the joint resolution entitled "Joint Resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, approved August 6, 1956 (70 Stat. 1035)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt", approved July 28, 1955, is amended to read as follows:

Theodore
Roosevelt
celebration.

69 Stat. 384.

"SEC. 7. There is hereby authorized to be appropriated not to exceed the sum of \$150,000 to carry out the provisions of this joint resolution."

Appropriation.

Joint Resolution To authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt, approved September 4, 1957 (71 Stat. 617)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled, "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt", approved July 28, 1955 (69 Stat. 348), is amended by adding at the end thereof the following new section:

Theodore
Roosevelt
Centennial
Commission.

69 Stat. 383.

"SEC. 9. The President is authorized and requested to issue a proclamation, inviting the people of the United States to observe the centennial anniversary of the birth of Theodore Roosevelt, which will occur in 1958, with appropriate ceremonies and activities during that year."

Proclamation.

An Act To authorize the Secretary of the Interior to provide water and sewage disposal facilities to the Medora area adjoining the Theodore Roosevelt National Memorial Park, North Dakota, and for other purposes, approved August 31, 1961 (75 Stat. 423)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to afford adequate facilities to persons visiting Theodore Roosevelt National Memorial Park, and to enhance the setting of the park entrance and further the interpretive program of the park through encouraging the preservation and restoration of the pioneer cattle town of Medora, North Dakota, and its associations with Theodore Roosevelt, by non-Federal endeavors in accordance with house concurrent resolutions

Theodore
Roosevelt
National Me-
morial Park.
N. Dak.

"T" and "U" of the 1959 Session Laws of the State of North Dakota, pages 878 and 879, the Secretary of the Interior is authorized to modernize the water and sewage facilities of the village of Medora adjoining the park, in the manner hereinafter provided.

Medora,
N. Dak.
Water and
sewage fa-
cilities.

SEC. 2. The Secretary of the Interior is authorized to construct, operate, and maintain, on rights-of-way donated for the purpose and in such manner as he shall consider to be in the public interest, water supply and sewage disposal systems to serve Federal and non-Federal properties in the said Medora area, and he may make existing Federal systems available to serve such properties: *Provided*, That non-Federal users of the systems shall comply with standards of use prescribed by the Secretary and shall be charged rates sufficient to recover a pro rata share of depreciation and costs of operation and maintenance of the systems plus interest on the Federal investment in the systems. Funds obtained from such non-Federal users of the systems shall be deposited in the Treasury of the United States as miscellaneous receipts, with the exception that the Secretary may consider as appropriation reimbursements to be credited in the appropriation current at the time received, such amount of the aforesaid collections as may be necessary to reimburse, on a pro rata basis, appropriated operating funds expended for maintenance and operation costs of the systems.

Conditions for
construction.

SEC. 3. Construction of the facilities authorized herein shall not be undertaken or use of existing Federal systems authorized until at least 80 per centum of the potential non-Federal users, as defined by the Secretary of the Interior, are committed to connecting to said water and sewage systems and until there shall have been reached an agreement with the duly authorized officials of the village of Medora, by which the village is obligated to adopt and enforce a zoning ordinance which complies with standards prescribed by the Secretary for the purpose of preserving the historic character of Medora and affording a park-like setting in the vicinity of the park and the entrance thereto.

Appropriation.

SEC. 4. There are authorized to be appropriated for the construction of these facilities such sums as may be required therefor, not to exceed \$100,000.

4. National Park System 95th Congress Omnibus

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "National Parks and Recreation Act of 1978".

TABLE OF CONTENTS

- Sec. 1. Short title and table of contents.
- Sec. 2. Definition.
- Sec. 3. Authorization of appropriations.

TITLE I—DEVELOPMENT CEILING INCREASES

- Sec. 101. Specific increases.
 - Agate Fossil Beds National Monument.
 - Andersonville National Historic Site.
 - Andrew Johnson National Historic Site.
 - Biscayne National Monument.
 - Capitol Reef National Park.
 - Carl Sandburg Home National Historic Site.
 - Cowpens National Battlefield Site.
 - De Soto National Memorial.
 - Fort Bowie National Historic Site.
 - Frederick Douglass Home, District of Columbia.
 - Grant Kohrs Ranch National Historic Site.
 - Guadalupe Mountains National Park.
 - Gulf Islands National Seashore.
 - Harper's Ferry National Historical Park.
 - Hubbell Trading Post National Historic Site.
 - Indiana Dunes National Lakeshore.
 - John Muir National Historic site.
 - Lands in Prince Georges and Charles Counties, Maryland.
 - Longfellow National Historic Site.
 - Pecos National Monument.
 - Perry's Victory and International Peace Memorial.
 - San Juan Island National Historical Park.
 - Sitka National Historical Park.
 - Statue of Liberty National Monument.
 - Thaddeus Kosciuszko Home National Historic Site.
 - Tuskegee Institute National Historic Site.
 - Whiskeytown-Shasta-Trinity National Recreation Area.
 - William Howard Taft National Historic Site.
 - Wilson's Creek National Battlefield.

TITLE II—ACQUISITION CEILING INCREASES

- Sec. 201. Acquisition ceilings.
 - Big Cypress National Preserve.
 - Buffalo National River.
 - Cumberland Island National Seashore.
- Sec. 202. Sawtooth National Recreation Area.

TITLE III—BOUNDARY CHANGES

- Sec. 301. Revision of boundaries.
 - Bent's Old Fort National Historic Site.

- Sec. 511. Maggie L. Walker National Historic Site.
- Sec. 512. Crow Creek Village Archeological Site.

Subtitle B—Trails

- Sec. 551. Amendments to National Trail Systems Act.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Facilities at Yellowstone National Park.
- Sec. 602. Ridgeland Area study.
- Sec. 603. Preservation of historical and archaeological data.
- Sec. 604. New area studies, general management plans, and contracts.
- Sec. 605. Oak Creek Canyon and Chiricahua National Monument studies.
- Sec. 606. Land and Water Conservation Fund accomplishments reporting date.
- Sec. 607. Hells Canyon National Recreation Area.
- Sec. 608. Irvine Coast-Laguna, California study.
- Sec. 609. Theodore Roosevelt Inaugural National Historic Site.
- Sec. 610. Theodore Roosevelt National Park.
- Sec. 611. Badlands National Park.
- Sec. 612. Albert Einstein Memorial.
- Sec. 613. Pearson-Skubitz Big Hill Lake.
- Sec. 614. Advisory Council on Historic Preservation.

TITLE VII—WILD AND SCENIC RIVERS ACT AMENDMENTS

Subtitle A—Addition of Segments

- Sec. 701. Addition of Pere Marquette Segment.
- Sec. 702. Addition of Rio Grande Segment.
- Sec. 703. Addition of Skagit Segments.
- Sec. 704. Addition of Upper Delaware Segment; special provisions.
- Sec. 705. Addition of Middle Delaware Segment.
- Sec. 706. Addition of the American Segment.
- Sec. 707. Addition of Missouri Segment.
- Sec. 708. Addition of Saint Joe Segments.

Subtitle B—Studies

- Sec. 721. Designation of the Kern River (North Fork) for study.
- Sec. 722. Designation of the Loxahatchee River for study.
- Sec. 723. Designation of the Ogeechee River for study.
- Sec. 724. Designation of certain segment of the Salt River for study.
- Sec. 725. Designation of the Verde River for study.
- Sec. 726. Designation of the San Francisco River for study.
- Sec. 727. Designation of Fish Creek for study.
- Sec. 728. Designation of Black Creek for study.
- Sec. 729. Designation of Allegheny River for study.
- Sec. 730. Designation of the Cacapon River for study.
- Sec. 731. Designation of the Escatawpa River for study.
- Sec. 732. Designation of the Myakka River for study.
- Sec. 733. Designation of Soldier Creek for study.
- Sec. 734. Designation of Red River for study.
- Sec. 735. Authorization for study.
- Sec. 736. Study period.

Subtitle C—Authorizations for Funding

- Sec. 751. Eleven Point River.
- Sec. 752. Rogue River.
- Sec. 753. Saint Croix River.
- Sec. 754. Salmon River.
- Sec. 755. Chattooga River.

(2) Buffalo National River, Arkansas: Section 7 of the Act of March 1, 1972 (86 Stat. 44), is amended by changing "\$30,071,500" to "\$39,948,000".

(3) Cumberland Island National Seashore, Georgia: Section 10 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing "\$10,500,000" to "\$28,500,000".

SAWTOOTH NATIONAL RECREATION AREA

SEC. 202. Section 13 of the Act of August 22, 1972 (86 Stat. 612), is amended by changing "\$19,802,000" to "\$47,802,000".

TITLE III—BOUNDARY CHANGES

REVISION OF BOUNDARIES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

(1) Bent's Old Fort National Historic Site, Colorado: To add approximately six hundred and twenty-two acres as generally depicted on the map entitled "Boundary Map, Bent's Old Fort National Historic Site, Colorado", numbered 417-80,007-A, and dated June 1976: \$842,000.

(2) Cape Cod National Seashore, Massachusetts: To add approximately thirteen acres and to delete approximately sixteen acres as generally depicted on the map entitled "Cape Cod National Seashore Boundary Map", numbered 609-60,015 and dated February 1978.

(3) Chiricahua National Monument, Arizona: To add approximately four hundred and forty acres as generally depicted on the map entitled "Boundary Map, Chiricahua National Monument, Arizona", numbered 145-80,002, and dated August 1977: \$294,000.

(4) Coronado National Memorial, Arizona: To add approximately three thousand and forty acres and delete approximately twelve hundred acres as generally depicted on the map entitled "Land Status Map 01, Coronado National Memorial, Cochise County, Arizona", numbered 8630/80,001, and dated October 1977: \$1,410,000.

(5) Eisenhower National Historic Site, Pennsylvania: To add approximately one hundred ninety-five and eighty-three one-hundredths acres as generally depicted on the map entitled "Boundary Map, Eisenhower National Historic Site, Adams County, Pennsylvania", numbered 446-40,001B, and dated April 1978: \$166,000.

numbered 894-40,001, and dated May 1978: \$3,500,000.

(13) Montezuma Castle National Monument, Arizona: To add approximately thirteen acres, and to delete approximately five acres as generally depicted on the map entitled "Montezuma Castle National Monument, Arizona", numbered 20,006, and dated April 1978.

(14) Oregon Caves National Monument, Oregon: To add approximately eight acres as generally depicted on the map entitled "Oregon Cave, Oregon", numbered 20,000, and dated April 1978: \$107,000.

(15) Salem Maritime National Historic Site, Massachusetts: To add approximately fifteen one-hundredths of an acre as generally depicted on the map entitled "Salem Maritime National Historic Site Boundary Map", numbered 373-80,010, and dated February 1978: \$67,500.

(16) Theodore Roosevelt National Memorial Park, North Dakota: To add approximately one hundred and forty-six acres, and delete approximately one hundred and sixty acres as generally depicted on map entitled "Boundary Map Theodore Roosevelt National Memorial Park-North Unit McKenzie County/North Dakota", numbered 387/80,020, and dated July 1977.

(17) Tumacacori National Monument, Arizona: To add approximately seven acres, and delete approximately eleven-hundredths of an acre as generally depicted on the map entitled "Boundary Map, Tumacacori National Monument, Arizona", numbered 311-80,009-A, and dated March 1978: \$24,000.

(18) (A) Tuzigoot National Monument, Arizona: To add approximately seven hundred and ninety-one acres as generally depicted on the map entitled "Master Proposal, Tuzigoot National Monument", numbered 378-30,000D, and dated January 1973: \$1,350,000.

(B) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange or otherwise and subject to such terms, reservations, conditions applied to the acquired lands as he may deem satisfactory, the lands and interests in lands that are included within the boundaries of the Tuzigoot National Monument as revised by this paragraph. When so acquired, they shall be administered in accordance with provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535).

(C) In exercising his authority to acquire such lands and interests in lands by exchange, the Secretary may accept title to any non-Federal property

(c) Section 7(b) of such Act is amended by striking the phrase "Brookhaven town park at", and inserting in lieu thereof: "Ocean Ridge portion of".

(d) Section 10 of such Act is amended by striking "\$18,000,000", and inserting in lieu thereof "\$23,000,000".

CUMBERLAND ISLAND NATIONAL SEASHORE

SEC. 323. Section 1 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing the phrase "numbered CUIS-40,000B, and dated June 1971," to read "numbered CUIS 40,000D, and dated January 1978,".

TITLE IV—WILDERNESS

DESIGNATION OF AREAS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act:

(1) Buffalo National river, Arkansas, wilderness comprising approximately ten thousand five hundred and twenty-nine acres and potential wilderness additions comprising approximately twenty-five thousand four hundred and seventy-one acres depicted on a map entitled "Wilderness Plan, Buffalo National River, Arkansas", numbered 173-20,036-B and dated March 1975, to be known as the Buffalo National River Wilderness.

(2) Carlsbad Caverns National Park, New Mexico, wilderness comprising approximately thirty-three thousand one hundred and twenty-five acres and potential wilderness additions comprising approximately three hundred and twenty acres, depicted on a map entitled "Wilderness Plan, Carlsbad Caverns National Park, New Mexico," numbered 130-20,003-B and dated January 1978, to be known as the Carlsbad Caverns Wilderness. By January 1, 1980, the Secretary shall review the remainder of the park and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or unsuitability of any additional areas within the park for preservation as wilderness, and any designation of such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

(3) Everglades National Park, Florida, wilderness comprising approximately one million two hundred and ninety-six thousand five hundred acres and potential wilderness additions comprising approximately eighty-one thousand nine hundred

acres, depicted on a map entitled "Wilderness Plan, Everglades National Park, Florida", numbered 160-20,011 and dated June 1974, to be known as the Everglades Wilderness.

(4) Guadalupe Mountains National Park, Texas, wilderness comprising approximately forty-six thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Guadalupe Mountains National Park, Texas", numbered 166-20,006-B and dated July 1972, to be known as the Guadalupe Mountains Wilderness.

(5) Gulf Islands National Seashore, Florida, and Mississippi, wilderness comprising approximately one thousand eight hundred acres and potential wilderness additions comprising approximately two thousand eight hundred acres, depicted on a map entitled "Wilderness Plan, Gulf Islands National Seashore, Mississippi, Florida", numbered 635-20,018--A and dated March 1977, to be known as the Gulf Islands Wilderness.

(6) Hawaii Volcanoes National Park, Hawaii, wilderness comprising approximately one hundred and twenty-three thousand one hundred acres and potential wilderness additions comprising approximately seven thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Hawaii Volcanoes National Park, Hawaii", numbered 124-20,020 and dated April 1974, to be known as the Hawaii Volcanoes Wilderness.

(7) Organ Pipe Cactus National Monument, Arizona, wilderness comprising approximately three hundred and twelve thousand six hundred acres and potential wilderness additions comprising approximately one thousand two hundred and forty acres, depicted on a map entitled "Wilderness Plan, Organ Pipe Cactus National Monument, Arizona", numbered 157-20,001-B and dated October 1978, to be known as the Organ Pipe Cactus Wilderness.

(8) Theodore Roosevelt National Memorial Park, North Dakota, wilderness comprising approximately twenty-nine thousand nine hundred and twenty acres, depicted on maps entitled "Theodore Roosevelt National Memorial Park, North Dakota" (North Unit and South Unit) numbered 387-20,007-E and dated January 1978, to be known as the Theodore Roosevelt Wilderness.

MAP AND DESCRIPTION

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this

Area", numbered IRV-90,000, and dated June 1978, and in order to consider protection of the area's unique ecology and topography, its watershed and marine environment, and public outdoor recreation opportunities, the Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System, such as a park, recreation area, or seashore. The Secretary shall consult with other appropriate Federal agencies, as well as with the appropriate State and local bodies and officials involved, and shall coordinate the study with applicable local and State plans and planning activities relating to the area. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall submit to the President and the Congress of the United States, within six months after the date of enactment of this section, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, natural, and outdoor recreation values of the Irvine Coast-Laguna area;

(2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified; and

(3) the relationship of any recommended national park, recreation area, or seashore area to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire Irvine Coast-Laguna area.

(c) There is hereby authorized to be appropriated \$50,000 to carry out the provisions of this section.

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE

SEC. 609. The first section of the Act entitled "An Act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site", approved November 2, 1966 (Public Law 89-708), is amended by striking out "at no expense to the United States" and inserting in lieu thereof "at no direct operating expense to the Department of the Interior,".

THEODORE ROOSEVELT NATIONAL PARK

SEC. 610. The area formerly known as the "Theodore Roosevelt National Memorial Park", established by the Act of April 25, 1947 (61 Stat. 52), shall henceforth be known as the "Theodore Roosevelt National Park".

the Capitol in the City of Bismarck, on Tuesday, the sixth day of January, one thousand nine hundred and eighty-one.

HOUSE BILL NO. 1206
(Representatives Thompson, Whalen)
(Senator Roen)

AN ACT to cede to the United States concurrent criminal jurisdiction on lands within the Theodore Roosevelt national park, Fort Union trading post national historic site, and Knife River Indian villages national historic site, and to provide for retrocession of that jurisdiction.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. STATE OFFENSES - CONCURRENT JURISDICTION CEDED TO THE UNITED STATES. Concurrent jurisdiction is hereby ceded to the United States over offenses, as defined in section 12.1-01-04, when committed within boundaries of the tracts of land designated as:

1. Theodore Roosevelt national park.
2. Fort Union trading post national historic site.
3. Knife River Indian villages national historic site.

SECTION 2. CONCURRENT JURISDICTION - VESTED UPON ACCEPTANCE. The concurrent jurisdiction ceded by section 1 of this Act shall be vested upon acceptance by the United States by and through its appropriate officials and shall continue so long as the lands within the designated areas are dedicated to park or historic site purposes.

SECTION 3. RETROCESSION OF JURISDICTION - ACCEPTANCE - FILING.

1. The consent of North Dakota is hereby given to the retrocession by the United States of the jurisdiction granted by section 1 of this Act, either partially or wholly. A partial retrocession may be with respect to particular territory or particular offenses, or both. The governor is authorized to accept any such retrocession of jurisdiction on behalf of North Dakota.

2. When the governor receives written notification from the authorized official or agent of the United States that the United States desires or is willing to retrocede jurisdiction to North Dakota as provided in subsection 1, the governor may accept, and after filing the original acceptance with the secretary of state, the retrocession of jurisdiction will become effective.

Sam A. Peters
Speaker of the House

Ray B. Smith
Chief Clerk of the House

Ernest M. Sorensen
President of the Senate

Les Leidholm
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Forty-seventh Legislative Assembly of the State of North Dakota and is known on the records of that body as House Bill No. 1206.

Vote: Ayes 90 Nays 0 Absent 10

Vote: Ayes 48 Nays 0 Absent 2

Ray B. Smith
Chief Clerk of the House

Received by the Governor at 1:20 P.M. on February 19, 1981.

Approved at 9:29 A.M. on February 20, 1981.

Allen S. Olson
Governor

Filed in this office this 20th day of Feb.
1981, at 2:24 o'clock P.M.

Ben Mearns
Secretary of State

APPENDIX C: MANAGEMENT OBJECTIVES

These management objectives are taken from the 1989 "Statement for Management" for Theodore Roosevelt National Park.

PARK MANAGEMENT

Theodore Roosevelt National Park will be managed to protect and interpret the badlands ecosystems surrounding the Little Missouri River and the cultural resources resulting from human habitation of the area. Of primary importance are maintenance and restoration of the natural environment and protection and interpretation of human history with special emphasis on Theodore Roosevelt, his experiences in the badlands and the effects of those experiences on the remainder of his life.

Park management will use all available management tools (the general management plan, the land protection plan, resources management plans, etc.) and will work with nearby agencies, individuals and holders of private interests within the park, and park visitors to ensure internal and external pressures are managed to (1) protect the natural and cultural resources (including air and water quality) making up the park ecosystems and human history, and (2) provide for a spectrum of visitor use activities that encourage appropriate outdoor-oriented recreation, minimize impact on resources, and provide the opportunity to increase individual knowledge about the natural and human history of the area.

The National Park Service will plan and construct management and visitor use facilities that are appropriate to the purposes of the park as outlined in this document, which respond to visitor use and resource protection needs and which fit into the badlands environment in an aesthetic and environmentally sensitive way. Park management will maintain all park facilities and equipment to the highest standards, considering appearance, functionality, and accessibility.

INTERPRETATION AND VISITOR SERVICES

Interpret the biological diversity and species mix of the natural badlands environment and those changes that have occurred because of man's activities in the region.

Interpret man's history in the Little Missouri Badlands, emphasizing native Americans, the military and ranching era of the 19th century, Theodore Roosevelt's life and experiences in the badlands and their effects on his later life, the homesteading era and its effect on the park, and the recent energy development of the region.

Provide information to visitors and the general public about the importance of protecting cultural and natural resources (including air and water quality and scenic vistas), the public's role in that protection, and the importance of Theodore Roosevelt National Park and the National Park Service in protecting and enhancing our environment.

Provide an active off-site interpretive and public information program on resource protection, environmental education, biological diversity, and all park interpretive themes to groups and individuals throughout the northern Great Plains.

Furnish visitor facilities and activities that promote, in a natural outdoor environment, an understanding of the park and its interpretive themes, that do not damage or threaten the park's resources, that are appropriate to the purposes of the park as spelled out in this document, and that provide a range of interpretive and recreational activities available to all visitors with a reasonable expectation of safety.

CULTURAL RESOURCE MANAGEMENT

Identify, record, classify, and prioritize the protection of all cultural resources (including objects, sites, and structures related to native American culture, ranching, homesteading, and the administrative history of the park) through systematic, scientific survey and research.

Consider the effect of all management and visitor activity on cultural resources and ensure appropriate protection or mitigation whenever cultural resources or the historic scene are to be impacted.

Establish and implement a system of protection, maintenance, and interpretation for cultural resources that is integral to the purposes of the park so that resources are not lost or degraded to the point they lose their value.

NATURAL RESOURCE MANAGEMENT

Identify, record, classify, and prioritize the protection of all natural resources and processes that make up the Little Missouri Badlands ecosystems through systematic research and appropriate species specific, activity specific, or management program management plans.

Identify through scientific research those species and/or activities introduced into the badlands ecosystem by man that can or should not be eliminated (considering the public welfare, political expediency, purposes of the park as outlined in this document, etc.) and include these factors in management plans for the park.

Manage the park as a natural badlands ecosystem, influenced by man's activities over time, allowing natural processes to continue. Man's activity, both in and out of the park, must be actively managed so as to protect or restore the natural ecosystems, protect and enhance air and water quality and the scenic vistas of the natural American West, and to allow visitors to experience those selected man-introduced activities and features that give the park its cultural importance.

Consider the effect of all visitor and management activities on the natural resources of the park and manage those activities so as to prevent adverse impacts on the natural resources integral to the purposes of the park.

Ensure that all activities in the park, including those related to natural resource management, are evaluated as to their potential effect on lands and resources outside the park. Work with affected land owners/managers and the public to minimize adverse effect and keep all interested parties informed as to park activities.

APPENDIX D: NONFEDERAL SUBSURFACE (MINERALS) OWNERSHIPS (SHOWING RECOMMENDED PROTECTION)

Tract Ownership Number	Owner(s) and Interest(s) Owned	Acreage	Interest or Protection Needed	Priority	Other
NORTH UNIT					
01-132	County of McKenzie (A/C 50.00%) Odin C. Stutrud (A/C 16.67%) Annette Findlay (A/C 16.67%) Gladys Tanberg (A/C 16.67%)	40.00 -- -- --	Acquisition of mineral rights Acquisition of mineral rights Acquisition of mineral rights Acquisition of mineral rights	5 5 5 5	
01-133	Odin C. Stutrud and Hazel G. Stutrud (H&W) (A/C)	40.00	Acquisition of mineral rights	5	
01-134	Judith Stenehjelm, Philip O. Johnson, Maxwell H. Johnson, Maxine McCloskey (A/C 37.50%)	130.52	Acquisition of mineral rights	2	
01-135	Unknown	9.64	Undetermined	--	Surface for this tract is highway right-of- way owned by the state of North Dakota.
01-136	Federal Land Bank of St. Paul, a corp. (A/C 50.00%) Odin C. Stutrud (A/C 16.67%) Annette Findlay (A/C 16.67%) Gladys Tanberg (A/C 16.67%)	70.36 -- -- --	Acquisition of mineral rights Acquisition of mineral rights Acquisition of mineral rights Acquisition of mineral rights	2 2 2 2	
01-137	Ben A. Baye (A/C 100.00%)	153.09	Acquisition of mineral rights	2	Owner is deceased. Mineral title will require clarification.
01-138	Unknown	40.60	Undetermined	--	Surface of this tract is highway right-of- way owned by state of North Dakota.
01-139	P.O.C. Johnson, et. ux. (FM)	3.54	Acquisition of mineral rights	2	Surface of this tract is USA-owned right- of-way for the north road.
SOUTH UNIT (Medora Area)					
02-126	Meridian Land and Mineral Co. (9A/OGH) Milestone Petroleum, Inc. (OGH)	8.53 --	Acquisition of mineral rights Acquisition of mineral rights	1 1	These mineral rights underlie the park headquarters area at Medora. These mineral rights underlie the park headquarters area at Medora.

Tract Ownership Number	Owner(s) and Interest(s) Owned	Acreage	Interest or Protection Needed	Priority	Other	
SOUTH UNIT (North-Central Area)						
03-117 and 03-135	County of Billings (ALL 50.00%)	144.78	Acquisition of mineral rights by quit claim deed, agreement, or other (not purchase)	3	These are two separated areas in the north-central part of the south unit that are apparently owned by the USA and Billings County (50% each). Efforts should be made to work with the county to establish NPS control over these apparently outstanding interests without cost to the federal government. Although this may or may not involve donation, purchase will not be required.	
SOUTH UNIT (Northeastern Boundary)						
03-118	W.T. Vangergriff & William I. Stapp (A/C 43.75%)	80.00	Acquisition of mineral rights	4		
	Hancock Enterprises (OG 3.125%)	—	Acquisition of mineral rights	4		
	Mary Alice Fortin (A/C 3.125%)	—	Acquisition of mineral rights	4		
	William R. Everett, Mary Lynn Kubik & Karlin Jane Kathrein (A/C 25.00%)	—	Acquisition of mineral rights	4		
	Wilma T. Higgins (A/C 15.625%)	—	Acquisition of mineral rights	4		
	F.A. Dietrich (A/C 3.125%)	—	Acquisition of mineral rights	4		
	Peter L. Guth (A/C 3.125%)	—	Acquisition of mineral rights	4		
	John M. Kagy (A/C 3.125%)	—	Acquisition of mineral rights	4		
	Mary A. Fortin (A/Cog 1.5625%)	—	Acquisition of mineral rights	4		
	Hancock Enterprises (A/COG 1.5625%)	—	Acquisition of mineral rights	4		
SOUTH UNIT (Southeastern Portion)						
03-119	Unknown	12.42	Acquisition of mineral rights	4		
03-120	Burlington Northern Inc. (ALL)	45.46	Acquisition of mineral rights	4 (Old Hwy 10 right-of-way) 2 (Surface tract 03-106)		
03-121	Kathleen A. O'Connell (A/U)	115.39	Acquisition of mineral rights	2	Clarification of mineral title necessary	

Tract Ownership Number	Owner(s) and Interest(s) Owned	Acreage	Interest or Protection Needed	Priority	Other
03-122	Milestone Petroleum Inc. (OGH)	56.56	Acquisition of mineral rights	2 (Surface tract 03-106) 4 (Remainder)	
	Meridian Land and Mineral Co. (A/OGH)	—	Acquisition of mineral rights	2 (Surface tract 03-106) 4 (Remainder)	
03-123	Bertha Ceperley (A/C 12.963%)	249.62	Acquisition of mineral rights	2 (Surface tract 03-108) 4	
	Shirley Althoff (A/C 1.851%)	—	Acquisition of mineral rights	(Remainder) 2 (Surface tract 03-108) 4	
	Dorothy Coulter (A/C 1.851%)	—	Acquisition of mineral rights	(Remainder) 2 (Surface tract 03-108) 4	
	Nona Anderson (A/C 16.667%)	—	Acquisition of mineral rights	(Remainder) 2 (Surface tract 03-108) 4	
	Kathleen M. Shirley (A/C 33.33%)	—	Acquisition of mineral rights	(Remainder) 2 (Surface tract 03-108) 4	
	Eleanor E. Carle (A/C 25%)	—	Acquisition of mineral rights	(Remainder) 2 (Surface tract 03-108) 4	
	Lawrence K. and Greta Madsen (A/C/ 8.333%)	—	Acquisition of mineral rights	(Remainder) 2 (Surface tract 03-108) 4	
03-124	State of North Dakota (ALL 75.00%) Ada Ferguson (ALL 25.00%)	11.10	Acquisition of mineral rights	4	
		—	Acquisition of mineral rights	4	
03-125	State of North Dakota (ALL 75.00%) Phillips Petroleum Co. (ALL 25.00%)	28.11	Acquisition of mineral rights	4	
		—	Acquisition of mineral rights	4	
03-126	State of North Dakota involves ownership of surface and minerals)	1.82	None	—	This narrow parcel of land adjoins I-94 and the access road to the Painted Canyon overlook. This was apparently an excess taking of right-of-way for the interstate.

Tract Ownership Number	Owner(s) and Interest(s) Owned	Acreage	Interest or Protection Needed	Priority	Other
03-127	State of North Dakota (ALL)	5.41	Acquisition of mineral rights	4	
03-128	Samuel V.S. Fisher (C)	4.07	Acquisition of mineral rights	4	
03-129	Herbert G. Ollis (C 50.00%)	34.38	Acquisition of mineral rights	4	EXCEPTION: A 33-foot-wide strip of land adjacent to the northernmost and westernmost boundary line of sec. 6 within the national park. Mineral ownership of this strip appears to be as follows: John Gawryluk (A/C – 50%), state of North Dakota (A/C – 50%).
ELKHORN UNIT					
03-131	Shirley R. Shapiro & Evelyn M. Rauch (A/C 60.00%) Geneva Stedman (A/C 9.0%)	44.72	Acquisition of mineral rights	3	
	Robert J. and Joseph R. Kellogg (A/C 9.0%)	–	Acquisition of mineral rights	3	
	Kathleen Kellogg (A/C 22.00%)	–	Acquisition of mineral rights	3	

ALL – All Minerals
 A/C – All Minerals Except Coal
 A/Cog – All Minerals Except Coal, Oil, and Gas
 A/OGH – All Minerals Except Oil, Gas, and Hydrocarbons
 A/U – All Minerals Except Uranium
 FM – Fluid Minerals
 C – Coal
 OG – Oil and Gas
 OGH – Oil, Gas, and Hydrocarbons
 50% – Percentage owned by the particular entity (example)

NOTE: 1. See "Land Protection Plan" text for explanation of priority numbers.
 2. The information in this table is current to 1/17/84.

BIBLIOGRAPHY

BILLINGS COUNTY, NORTH DAKOTA

- 1974-5 "Billings County Zoning Resolution No. 1," and "Amendment to Section XX. Billings County Board of County Commissioners.

CITY OF MEDORA, NORTH DAKOTA

- 1983 "City of Medora Historical Integrity Zoning Ordinance." Roosevelt-Custer Regional Council, Dickinson, North Dakota.

EDWARDS, M.J. and J.K. ABLEITER

- 1944 "Soil Survey: Billings County, North Dakota," U.S. Department of Agriculture and North Dakota Agricultural Experiment Station, Ser. 1934, No. 25.

FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

- 1974 *Management Prescription for the Badlands Planning Unit and Final Environmental Statement, Little Missouri National Grasslands, Custer National Forest.* Northern Region.
- 1975 *Management Plan and Final Environmental Statement, Rolling Prairie Planning Unit, Little Missouri National Grasslands, Custer National Forest.* Northern Region.
- 1983 "Visitors Map, Little Missouri National Grasslands, North Dakota" (showing landownership.)

GEOLOGICAL SURVEY, U.S. DEPARTMENT OF THE INTERIOR

- 1985 "Flood Analysis Along the Little Missouri River Within and Adjacent to Theodore Roosevelt National Park, North Dakota," by Douglas G. Emerson and Kathleen M. Macek-Rowland. Water Resources Division, Bismarck, North Dakota, with Letter of May 24, 1985.

HANSEN, P.L., R.B. HOPKINS, and G.R. HOFFMAN

- 1980 "An Ecological Study of Theodore Roosevelt National Park: Habitat Types and Their Ecological Components." University of South Dakota.

HANSEN, P.L., G.R. HOFFMAN, and A.J. BJUGSTAD

- 1984 "The Vegetation of Theodore Roosevelt National Park: A Habitat Type Classification," USDA Forest and Range Experiment Station, General Technical Report RM-113.

HARMON, DAVID

- 1985 "An Administrative History of Theodore Roosevelt National Park."

MARLOW, C.B., L. IRBY, and J. NORLAND

- 1984 "Optimum Carrying Capacity of Bison in Theodore Roosevelt National Park, Final Report."

NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

- 1962 "Archeological Investigations of the Elkhorn Ranch Site," by Dee C. Taylor. Midwest Archeological Center, Lincoln, Nebraska.
- 1972 *Wilderness Recommendation, Theodore Roosevelt National Park, North Dakota.* Denver Service Center, Denver, Colorado.
- 1973a *Interpretive Prospectus, Theodore Roosevelt National Memorial Park, North Dakota.* Denver Service Center, Denver, Colorado.
- 1973b *Master Plan, Theodore Roosevelt National Memorial Park, North Dakota.* Denver Service Center, Denver, Colorado.
- 1975 "Theodore Roosevelt National Memorial Park, Proposed Sewer Line Archeological Reconnaissance," by Marvin Kay. Memorandum dated March 3, 1975, to Chief, Midwest Archeological Center, Lincoln.

- 1977a "Archeological Survey of Theodore Roosevelt National Memorial Park," by Thomas D. Thiessen. Memorandum dated April 1, 1977, to Superintendent, Theodore Roosevelt National Memorial Park, Medora, North Dakota.
- 1977b "Archeological Reconnaissance of the Painted Canyon Overlook. Memorandum dated June 7, 1977, to Superintendent, Theodore Roosevelt National Memorial Park, Medora.
- 1978a *Assessment of Alternatives, Elkhorn Unit Development, Theodore Roosevelt National Memorial Park, North Dakota.* Theodore Roosevelt National Park. Medora.
- 1978b "Archeological Survey in the Buck Hill Slide Area of the Scenic Loop Road in Theodore Roosevelt National Memorial Park, South Unit," by Robert K. Nickel. Memorandum dated July 17, 1978, to Chief, Midwest Archeological Center, Lincoln.
- 1980 *Historic Structure Report, Historical Data Section, CCC Structures/Peaceful Valley Ranch/Maltese Cross Cabin/Elkhorn Ranch, Theodore Roosevelt National Park, North Dakota,* by Louis Torres. Denver Service Center, Denver.
- 1981 "Archeological Survey, Theodore Roosevelt National Park, 1979-1980." Midwest Archeological Center, Lincoln.
- 1982 *General Management Plan/Final Environmental act Statement/ Statement of Findings, Capitol Reef National Park, Utah.* Denver Service Center, Denver.
- 1982-84 "Annual Statements for Interpretation and Visitor Services." Theodore Roosevelt National Park, Medora.
- 1983-84 "Draft Cultural Resources Management Plan. Theodore Roosevelt National Park, Medora.
- 1984a *Natural Resources Management Plan and Continued Environmental Assessment, Theodore Roosevelt National Park, North Dakota.* Theodore Roosevelt National Park, Medora.
- 1984b *Draft Land Protection Plan, Chaco Culture National Historical Park, New Mexico.* Denver Service Center, Denver.
- 1985a "Government Furnished Quarters Management Guideline, NPS-36, Release No. 2." Washington, D.C.
- 1985b "Review Draft General Management Plan/Development Concept Plans/Land Protection Plan/Environmental Assessment, Dinosaur National Monument, Colorado and Utah." Denver Service Center, Denver.
- 1985c *Land Protection Plan, Pictured Rocks National Lakeshore, Michigan.* Denver Service Center, Denver.
- 1989 "Statement for Management, Theodore Roosevelt National Park." Theodore Roosevelt National Park, Medora.

PETTY, WARREN J.

- 1965 "Park History."

STATE OF NORTH DAKOTA

- 1982a North Dakota Century Code, as passed by the State Legislature, Chapters 20.08.03, 24.17, 33.15.04, 61.04.02, 61.28, 61.29, and 63.01.1, including Regulations No. R63-01.1-1 and R63-01.1-2.
- 1982b Little Missouri Scenic River Commission Summary of Policies and Procedures, November.

- 1983a Letter of November 15, with attachments from Harold G. Vavra, Director, North Dakota Aeronautics Commission to Harvey D. Wickware, Superintendent, Theodore Roosevelt National Park commenting on statements regarding the Medora Airport in the Draft National Resources Management Plan and Environmental Assessment for Theodore Roosevelt National Park.
- 1983b EPA-Approved North Dakota State Air Pollution Control Implementation Plan (40 CFR 52.1820).
- 1986 *General Management Plan/Development Concept Plans/Land Protection Plan/Environmental Assessment, Theodore Roosevelt National Park, North Dakota.* Denver Service Center, Denver.

U.S. DEPARTMENT OF AGRICULTURE

- 1942 "Soil Survey: Billings County, North Dakota," U.S. Department of Agriculture and North Dakota Agricultural Experiment Station, Ser. 1933, No. 37.

U.S. DEPARTMENT OF THE INTERIOR

- 1982a *New Tools for Land Protection: An Introductory Handbook*, Office of the Assistant Secretary for Fish and Wildlife and Parks.
- 1982b "Preliminary Certification of No Adverse Impact on Theodore Roosevelt National Park and Lostwood National Wildlife Refuge" (47 FR 30222, July 12, 1982).
- 1983 National Park Service, 36 CFR Ch. 1, "Land Protection Plans, Final Interpretive Rule," as published in the *Federal Register*, Vol. 48, No. 92, Wednesday, May 11, 1983.
- 1985 "Final Determination to Extend Certification of No Adverse Impact on Theodore Roosevelt National Park and Lostwood National Wildlife Refuge under Section 165(d)(2)(C)(iii) of the Clean Air Act" (50 FR 7658, February 25, 1985).

LIST OF PREPARERS

NATIONAL PARK SERVICE

Denver Service Center

Larry Knowles, Team Captain/Landscape Architect
Linda Russo, Writer/Editor
Don Bock, Outdoor Recreation Planner
John Myers, Cartographer
Allen Hagood, Environmental Specialist
John Austin, Socioeconomic Specialist
Roberta McDougall, Interpretive Planner
Dave Scherer, Historic Architect
Berle Clemensen, Historian
Keith Dunbar, Outdoor Recreation Planner
Bruce McCraney, Landscape Architect
Robert Todd, Cartographer
Dick McNulty, Engineering Estimator

Theodore Roosevelt National Park

Harvey Wickware, Superintendent
Micki Hellickson, Interpretive Planner
Jeff Bradybaugh, Resource Management Specialist
Bob Powell, Chief Ranger
Dick Bennett, Chief of Maintenance
Other park staff

Rocky Mountain Region

Roy Slatkavitz, Planning Coordinator/Chief of Planning
Belva Skiver, Realty Assistant
Lee Garrison, Realty Specialist
Dick Young, Chief, Land Resources Division
Linda Carlson, Editorial Assistant

Denver-Based Washington Office

Erik Hauge, Environmental Specialist
Sid Covington, Geologist
Marcie Sullivan, Conveyance Examiner
Opal Bradford, Realty Specialist
Howard Stark, Realty Specialist
Bill Oates, Mining Engineer Technician
Leslie Vaculik, Petroleum Engineer
Frank Buono, Environmental Protection Specialist

U.S. GEOLOGICAL SURVEY, WATER RESOURCES DIVISION, BISMARCK, NORTH DAKOTA

Doug Emerson
Kathleen Macek-Rowland
Oro Crosby



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural and cultural resources. This includes fostering wise use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people. The department also promotes the goals of the Take Pride in America campaign by encouraging stewardship and citizen responsibility for the public lands and promoting citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

Publication services were provided by the graphics and editorial staffs of the Denver Service Center.
NPS D- 64 June 1990

